

**MINUTES**  
**OF THE**  
**TRUSTEES**  
**OF THE**  
**Internal Improvement**  
**Fund**  
**State of Florida**

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**VOLUME XXXIII**

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**From July 1, 1960 to July 1, 1962**  
**Published Under Authority of Trustees of Internal**  
**Improvement Fund**



**TALLAHASSEE, FLORIDA**

**1962**

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**OF THE**  
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**OF THE**  
**Internal Improvement**  
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**VOLUME XXXIII**

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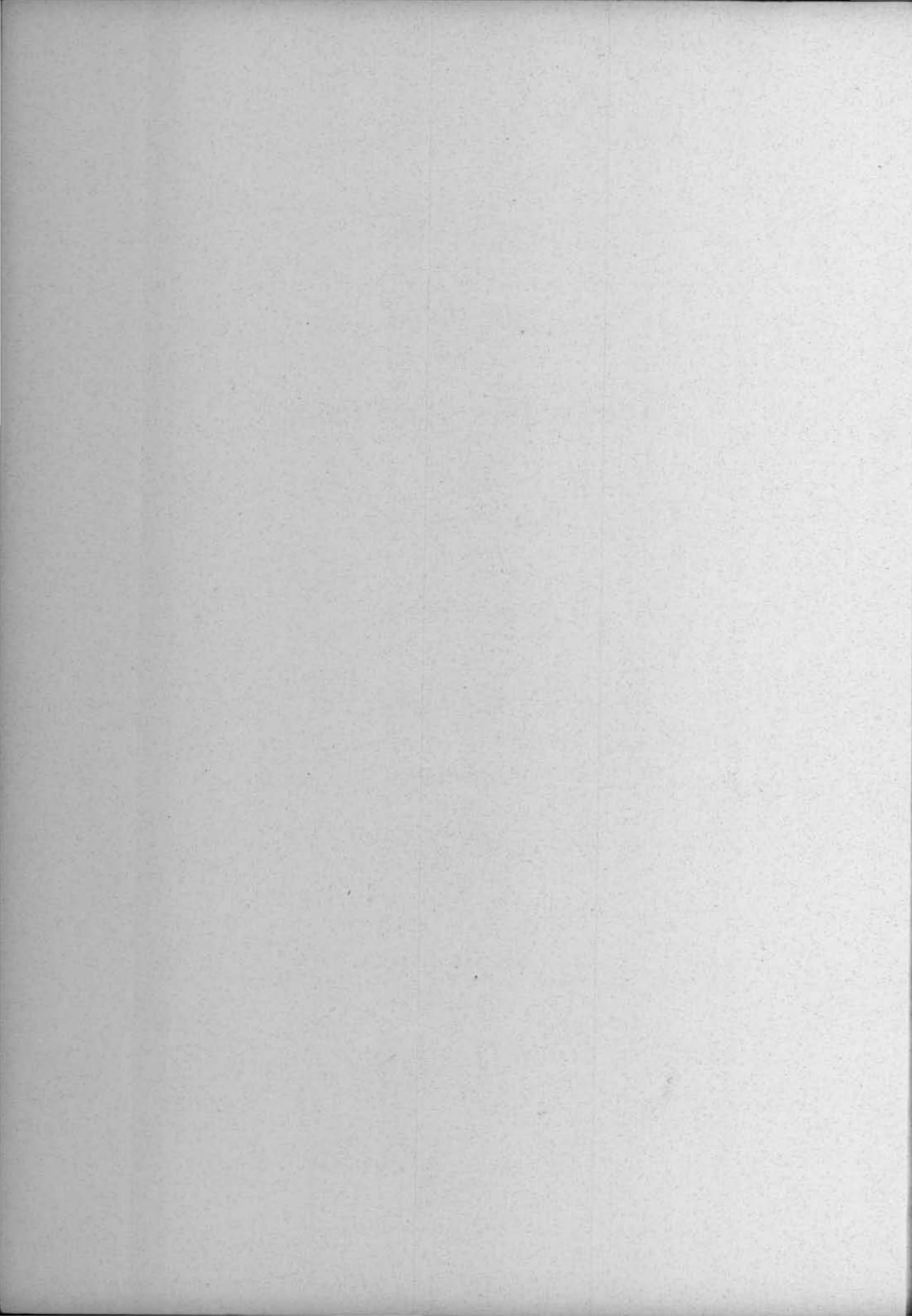
**Published Under Authority of Trustees of Internal  
Improvement Fund**



**TALLAHASSEE, FLORIDA**

**1962**





Tallahassee, Florida  
July 5, 1960

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office, at the Capitol.

Present:	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Lee Thompson	Commissioner of Agriculture

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Van H. Ferguson      Director-Secretary

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Upon motion duly adopted, the Trustees approved the minutes of the meeting on June 21, 1960.

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#### APPLICATIONS TO PURCHASE

MONROE COUNTY: File No. 684-44-253.12. John M. Denison, abutting upland owner, offered the established price of \$300.00 per acre for a parcel of submerged land in the Bay of Florida in Sections 25 and 26, Township 65 South, Range 33 East, Grassy Key, containing 6.0 acres, more or less.

Without objection, the Trustees authorized the parcel advertised for objections only.

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PALM BEACH COUNTY: File No. 695-50-253.36. Bernard M. Wall et al, abutting upland owners, represented by Hall, Hartwell and Douglass, offered the appraised price of \$5,000.00 per acre for a parcel of permanently reclaimed lake bottom in Lake Osborne in Section 20, Township 44 South, Range 43 East, containing 0.171 of an acre, more or less.

Upon motion duly adopted, the Trustees approved sale of the parcel to the upland owner at the appraised price, and authorized issuance of deed without advertising, according to the usual policy for sale of reclaimed lake bottoms in the area.

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#### LEASES

BREVARD COUNTY: Request was made by the United States, through the U. S. Army Corps of Engineers, to terminate Lease No. 1072 covering 0.34 of an acre in Section 19, Township 20 South, Range 36 East, heretofore used in connection with Patrick Air Force Base.

The Director recommended that the requirement of 30-day cancellation notice be waived and that the usual form of release be executed.

Without objection, the Trustees approved the recommendations of the Director as the action of the Board.

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GLADES COUNTY: United States Sugar Corporation requested five-year extension of its farm lease No. 804 expiring July 26, 1961, covering 6.5 acres of reclaimed Lake Okeechobee bottom land in Section 19, Township 42 South, Range 34 East, the current rate of which was \$8.00 per acre per year. The lessee advised that its cane program must be planned well in advance.

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The Director recommended issuance of a new five-year lease, effective upon expiration of the current lease, at annual rental of \$10.00 per acre and with twelve-month cancellation clause.

Without objection, the Trustees approved the recommendations of the Director as the action of the Board.

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#### MISCELLANEOUS

PALM BEACH COUNTY: Pelican Bay Lands. The Board of Public Instruction of Palm Beach County, on behalf of the Future Farmers of America project of the Pahokee School, asked for commitment of that part of the Richlands tract estimated at 40 acres, more or less, in Section 24, Township 42 South, Range 36 East, within the corporate limits of the Town of Pahokee. The 40-acre parcel was withheld from sale on June 7 at request of the Town of Pahokee when a 55-acre parcel was committed to the town for municipal purposes.

The Trustees expressed concern over reduction of the Pelican Bay farm tract by this and other commitments already granted, as well as the delay to prospective purchasers or lessees in planning for next planting season, and Mr. Larson reported that this feeling was held by many interested parties in the area. The Board emphasized that title to the 40-acre parcel should remain in the Trustees, with no lease given but rather a use commitment on year-to-year basis.

Mention was made of an increased offer received from Richlands, Inc., for re-lease of the tract, however advertisement was currently running for bids to be taken on July 28 for sale of small tracts and the Trustees felt that no change should be made in this bidding which had been requested by many farmers in the area.

Upon motion duly adopted, the Trustees authorized commitment of the 40-acre parcel on a year-to-year basis to the Board of Public Instruction of Palm Beach County for vocational agriculture purposes of the Future Farmers of America project of the Pahokee School, subject to the beneficiary furnishing legal description, survey by registered surveyor, annual report, making arrangement for access, and that the Trustees be relieved of all obligation for drainage, flooding or participation in any drainage project.

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PALM BEACH COUNTY: Florida Power and Light Company requested easement for electric transmission line across a strip of land 12 feet wide by 425 feet long through the southerly part of Section 22, Township 43 South, Range 39 East, Palm Beach County, between the right of way of West Palm Beach Canal and the pumping station constructed by the Trustees in Project No. 2.

Without objection, the Trustees approved easement across the land requested without charge, since the extension was to serve the Glades State Frison Farm.

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PALM BEACH COUNTY: File No. 549-50-253.124. Approval by the Trustees under Section 253.124 Florida Statutes was recommended for fill permit issued by the Town of Lake Park, in Palm Beach County, to Waldo Smith for filling a parcel of submerged land formerly conveyed by the Trustees, lying within the existing bulkhead line established by the Town of Lake Park.

Upon motion duly adopted, the Trustees formally approved the fill permit issued by the Town of Lake Park to Mr. Smith.

TRUSTEES' FUNDS: Mr. Green stated that Messrs. Terry Lee and Robert Brown of the Construction Division had investigated replacing the worn cork flooring with vinyl tile in the Comptroller's offices in the Capitol, and the Trustees were requested to approve expenditure of up to \$7,000.00 to cover the estimated cost of the flooring and other remodeling work. Upon motion by Mr. Thompson, seconded by Mr. Larson and adopted, the Trustees authorized payment from Trustees' funds of up to \$7,000.00 for the work requested.

TRUSTEES' OFFICE: Equipment. Without objection, the Trustees authorized purchase of the following equipment for use in the Trustees' Office and Trustees' Auditor's Office, at the low bids received for the items needed:

1 interlocking steel tracing file unit (composed of 1 base, 1 top, 2 five-drawer units)	\$227.00
1 sectional interlocking file unit (composed of 1 two-drawer unit, 1 reducer unit, 1 storage drawer unit, 1 open storage unit, 1 top)	215.00
1 4-drawer legal-size file cabinet	<u>113.00</u>
	<u>\$555.00</u>

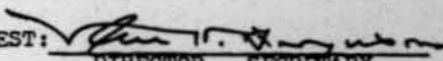
Also, approval was given for purchase of one 4-drawer legal-size filing cabinet for use in the Land Office.

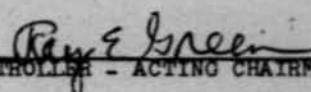
SUBJECTS UNDER CHAPTER 18296

Without objection, the Trustees approved Bidding Report No. 758 listing 1 regular bid for purchase of land under the Murphy Act.

Upon motion duly adopted, the Trustees adjourned.

ATTEST:

  
DIRECTOR - SECRETARY

  
COMPTROLLER - ACTING CHAIRMAN

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Tallahassee, Florida  
July 19, 1960

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office, at the Capitol.

Present:	Richard V. Ervin	Attorney General
	J. Edwin Larson	Treasurer
	Lee Thompson	Commissioner of Agriculture

Van H. Ferguson      Director-Secretary

Upon motion duly adopted, the Trustees approved the minutes of the meetings on June 28 and July 5, 1960.

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## LAND SALES

BROWARD COUNTY: File No. 625-06-253.12. On May 31 the Trustees considered application of Company Six-C, Inc., to purchase two parcels of sovereignty land in New River Sound in Sections 12 and 13, Township 50 South, Range 42 East, being all that part of Isla Bahia Subdivision as recorded in Plat Book 47, page 27, public records of Broward County, Florida, lying channelward from the original mean high water mark of Government Lot 7 in said Section 12 and Government Lot 2 in said Section 13, now filled land, containing 4.0 acres, more or less, within the established bulkhead line. The Board authorized settlement under which the applicant might convey the four tip lots to the Trustees, or purchase at \$50,000.00. The land was advertised for objections only in Fort Lauderdale Daily News, and proof of publication was filed with the Trustees. A quorum not being present on the advertised sale date, July 12, the Director presented the matter on this date.

C. Shelby Dale, on behalf of The Harbor Club of Fort Lauderdale, Inc., owners in Ocean Harbor Subdivision which is separated from Isla Bahia by Lake Sylvia, protested that applicant was not a riparian owner and was without equity or pre-emptive right to purchase, and that the filled land damaged the waterway, view and riparian rights of others.

Objections were also filed by Otto and Mary Milbrand and by L. W. Adams on behalf of E. W. Berger and wife, as co-owners of Pape Island, and by F. V. Hull on behalf of Mrs. Julia H. Cate, holder of option from Milbrand and Berger, on the ground that an access easement was involved, and sale of the four acres would damage the view and value of Pape Island. Subsequently the Cate objection was withdrawn.

The Director advised that no further material in support of objections was filed, that the maps showed no easement to Pape Island, that protests on the bulkhead line were heard and approval of the line was granted in recognition of the completed filled land mass, and that more than the 30-day period had elapsed for appeal under Section 253.122(4). It did not appear feasible to require unfilling, and recommendation was that sale be confirmed in accordance with action taken on May 31, L. C. Judd and W. P. Owens being present with payment of \$50,000.00 for deed to the applicant.

Upon motion by Mr. Larson, seconded and adopted, the Trustees confirmed sale of the advertised land to Company Six-C, for the price offered.

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DADE COUNTY: File No. 656-13-253.12. On June 7 the Trustees considered application by P. L. G. Corporation, abutting upland owner represented by Padgett, Teasley and Niles, for purchase of a parcel of submerged land in Biscayne Bay in Section 18, Township 53 South, Range 42 East, City of Miami, containing 0.73 of an acre, more or less, within the established bulkhead line, appraised at \$1,875.00 per acre. The parcel was advertised in the Miami Herald, proof of publication filed in the Trustees' office, and no objections to the sale were received. A quorum not being present on the advertised sale date, July 12, the Director requested consideration on this date.

Upon motion by Treasurer Larson, duly adopted, the Trustees confirmed sale of the parcel at the appraised price.

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DADE COUNTY: File No. 659-13-253.12. On May 31 the Trustees considered offer of the appraised value of \$4,350.00 per acre from Brickell Mansions, Inc., upland riparian owner represented by Aronovitz, Aronovitz and Haverfield, for a parcel of submerged land in Biscayne Bay in Section 13, Township 54 South, Range 41 East, City of Miami, containing 1.43 acres, more or less, within

the established bulkhead line. The parcel was advertised in the Miami Herald, and proof of publication was filed in the Trustees' Office. A quorum not being present on the advertised sale date, July 12, the Director requested consideration on this date.

Objections filed by Alice G. Estill and L. M. Lowry that a fill would constitute a groin, collect debris and become a navigational hazard, were considered unsound by the staff since the parcel was along shore less than 900 feet from centerline of the existing Rickenbacker Causeway fill - a groin of major proportions.

Upon motion by Mr. Larson, seconded and adopted, the Trustees overruled the objections and confirmed sale to the applicant at the appraised price.

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HILLSBOROUGH COUNTY: Files No. 675, 676, 677 and 678-29-253.12. On May 31 the Trustees approved conveyance to Hillsborough County without charge, for public park and recreational purposes, of 257.3 acres in Tampa Bay, subject to disposition of three private applications, formal agreements having been entered into by the private owners waiving any rights in the area and agreeing to an apportionment of the remainder of the sovereignty area within the bulkhead line. The Trustees fixed a price of \$80.00 per acre for the lands in applications of the three private owners, and authorized advertisement of the whole tract of sovereignty land in Tampa Bay in Sections 25, 26, 35 and 36, Township 31 South, Range 18 East, and Section 2, Township 32 South, Range 18 East, lying Northerly and Westerly of and abutting Fractional Section 36, Township 31 South, Range 18 East and the N $\frac{1}{2}$  of NW $\frac{1}{4}$  and W $\frac{1}{2}$  of NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 1, Township 32 South, Range 18 East, and NE $\frac{1}{4}$  of NE $\frac{1}{4}$  and Government Lot 1 of Section 2, Township 32 South, Range 18 East, containing 807.9 acres, more or less.

The land was advertised in the Tampa Tribune, proof of publication filed in the Trustees' Office, and no objections to the sales were received. A quorum not being present on the advertised sale date, July 12, the Director requested consideration on this date.

The applications by Hillsborough County and the three private upland owners were listed as follows:

- (a) File No. 675-29-253.12. Hillsborough County, 257.3 acres, more or less, in Section 36, Township 31 South, Range 18 East, in Tampa Bay, Easterly of Mangrove Point, granted without charge to the county for public park and recreational purposes;
- (b) File No. 676-29-253.12. Charles Forman, et al, upland owners, represented by Adrian S. Bacon, 248.8 acres, more or less, northeasterly of Mangrove Point in Section 36, Township 31 South, Range 18 East;
- (c) File No. 677-29-253.12. Lyle Dickman, et al, abutting upland owners, 212 acres, more or less, southeasterly from and including Mangrove Point in Section 36, Township 31 South, Range 18 East;
- (d) File No. 678-29-253.12. Rita Harnett, upland owner, 89.8 acres, more or less, southeasterly of Mangrove Point in Section 36, Township 31 South, Range 18 East.

Upon motion by Mr. Larson, seconded and adopted, the Trustees approved conveyance without charge to Hillsborough County for public purposes as requested, and confirmed sales to the three private applicants at \$80.00 per acre.

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MONROE COUNTY: File No. 668-44-253.12. On May 24 the Trustees considered application by George E. Bouckhuys and Marion L. Bouckhuys,

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upland riparian owners, for purchase of a parcel of submerged land in the Bay of Florida in Section 28, Township 63 South, Range 37 East, Upper Matecumbe Key, containing 0.36 of an acre, more or less, for which the established price was \$425.00 per acre. The submerged land was advertised in The Keynoter, Marathon, Florida, proof of publication filed in the Trustees' Office, and no objections to the sale were received. A quorum not being present on the advertised sale date, July 12, the Director requested consideration on this date.

Upon motion by Mr. Larson, seconded and adopted, the Trustees confirmed sale of the advertised parcel in favor of the applicants for \$425.00 per acre.

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ST. JOHNS COUNTY: File No. 657-55-253.12. On May 24 the Trustees considered offer of the appraised price of \$1,000.00 per acre from Antonio Sarris and wife, upland riparian owners, for a parcel of submerged land in the San Sebastian River in Section 19, Township 7 South, Range 30 East, 1.2 acres, more or less, in St. Augustine, within the established bulkhead line. The land was advertised in the St. Augustine Record, proof of publication filed with the Trustees, and no objections were received to the sale. A quorum not being present on the advertised sale date, July 12, the Director presented the sale for consideration on this date.

The State Road Department conditioned its waiving of objections on a minimum of 25 feet along the west side of the parcel being retained for highway drainage purposes. The Director recommended deferment for further checking of the layout with the Road Department, and pointed out that all the right of way requested by the Road Department along the state road had already been provided.

Upon motion by Mr. Larson, duly adopted, the Trustees deferred action as recommended by the Director.

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ALACHUA AND UNION COUNTIES: On January 12, 1960, competitive bids were taken for Government Lots 1 and 2 and N $\frac{1}{2}$  of NE $\frac{1}{4}$  of Section 36, Township 6 South, Range 18 East, 189.0 acres, more or less, in Alachua and Union Counties, and question of title of part of the area having arisen, the Trustees directed that bids be held until determination of private rights could be made.

- (a) UNION COUNTY: The high bidder at competitive sale, Thomas S. Miller as Trustee, agreed to accept such area as the Trustees determined could be delivered to the purchaser after evaluation was made of the private claim of Mrs. Snead Matthews Davis south of the Santa Fe River (county line). The high bidder furnished survey, and the area within Union County computed at 140.6 acres was recommended for conveyance to Mr. Miller at the high bid of \$58.00 per acre.
- (b) ALACHUA COUNTY: Mrs. Snead Matthews Davis offered \$6.00 per acre for deed to that part of Government Lot 1 and N $\frac{1}{2}$  of NE $\frac{1}{4}$  South of the thread of the Santa Fe River in Section 36, Township 6 South, Range 18 East, approximately 48.39 acres, without advertisement as allowed under Section 270.09 Florida Statutes. After study of U. S. survey, aerial photos, affidavits furnished by persons knowing the land for many years to have been in the possession, used and under fences of Mrs. Davis and her predecessors in title, and certificate of the Tax Assessor of Alachua County, the Director recommended that the portions of Government Lot 1 and N $\frac{1}{2}$  of NE $\frac{1}{4}$  of Section 36, Township 6 South, Range 18 East, south of the Santa Fe River, be sold to Mrs. Davis.

Upon motion by Mr. Larson, seconded and adopted, the Trustees accepted the recommendations of the Director, confirmed sale of the 140.6 acres in Union County to the high bidder, Mr. Miller, and approved sale of



the 48.39 acres in Alachua County to Mrs. Davis at \$6.00 per acre without advertisement or competitive bids.

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PALM BEACH COUNTY: File No. 608-50-253.12. On May 10, 1960, the Trustees agreed to accept a reduced price for 1.262 acres of submerged land applied for by the First Baptist Church of West Palm Beach, deed to contain public parking restriction. Subsequently, the Church offered to pay the full appraised price of \$3,780.32 for fee title and deed without restriction.

Upon motion by Mr. Larson, duly adopted, the Trustees accepted the offer of appraised price for the parcel riparian to the applicant's upland property, and authorized issuance of deed without restrictions as requested by the Church.

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PINELLAS COUNTY: File No. 667-52-253.12. On June 14 the Trustees considered offer of \$1,350.00 per acre from Wimp, Inc., upland riparian owner, for 2.17 acres of submerged St. Joseph Sound land in Section 27, Township 28 South, Range 15 East, valued by Trustees' appraiser at \$5,000.00 per acre, and action was deferred at request of the applicant to allow submission of evidence in support of a price reduction.

The property was adjacent to a large motel apartment building owned by applicant, overlooking the new City of Dunedin Marina for the improvement of which fill material would be removed and deposited on the submerged parcel. Trustees' appraiser furnished detailed report including analysis of the development cost, and stated that in his judgment the property when filled and seawalled would be peculiarly strategic and the most valuable water front property privately owned in the city. The Director recommended sale at the appraised price of \$5,000.00 per acre.

Alex D. Finch, representing the applicant, furnished another appraisal and offered \$1,500.00 per acre, giving as reasons for the request for reduction in price that a sale made last year in the City of Clearwater at \$1,500.00 per acre was a realistic value, that the Dunedin location was less desirable and the Trustees' appraisal too high, and pointing out that delay was holding up the Dunedin Marina project.

The Trustees expressed the opinion that they could not go forward with sale at so much less than their appraisal, which appeared to be a thorough analytical report, that to expedite completion of sale applicant could pay the appraised figure; otherwise, in view of the fact that applicant was protected by law so that sale could be made only to upland riparian owner, action would be deferred for study by the staff into the circumstances and valuations in the sale referred to by Mr. Finch and other sales and determination would be made at a later date of a fair and reasonable price for the land in question.

Upon motion by Mr. Ervin, seconded and adopted, the Trustees deferred action and directed Mr. Ferguson to check further into the matter of valuation.

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#### APPLICATIONS TO PURCHASE

The following applications were presented from abutting upland owners for purchase of submerged areas riparian to their ownerships:

1. DADE COUNTY: File No. 700-13-253.12. Miami Caribe Investments, Inc., represented by William B. Roman, offered the appraised price of \$7,065.00 per acre for a parcel of submerged land in Biscayne Bay adjacent to uplands in Section 38, Township 54 South, Range 41 East, City of Miami, within the established bulkhead line.

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2. LEE COUNTY: File No. 698-36-253.12. McGregor Isles, Inc., a Florida Corporation, represented by Allen and Knudsen, offered the appraised price of \$100.00 per acre for a parcel of submerged land in the Caloosahatchee River in Section 16, Township 45 South, Range 24 East, 4.3 acres, landward of the bulkhead line approved by Trustees on March 29, 1960.
3. MONROE COUNTY: File No. 685-44-253.12. Herbert R. Roth, represented by C. G. Bailey, offered the established price of \$425.00 per acre for a parcel of submerged land in the Straits of Florida in Sections 27 and 28, Township 63 South, Range 37 East, 2.0 acres on Upper Matecumbe Key.
4. MONROE COUNTY: File No. 696-44-253.12. Harry G. Deaver and wife, represented by G. A. Crawshaw, offered the established price of \$300.00 per acre for a parcel of submerged land in the Bay of Florida in Section 18, Township 63 South, Range 38 East, 0.52 of an acre on Plantation Key.
5. MONROE COUNTY: File No. 699-44-253.12. Beryl B. Chastain, represented by G. A. Crawshaw, offered the established price of \$425.00 per acre for a parcel of submerged land in the Straits of Florida in Section 23, Township 63 South, Range 37 East, 0.89 of an acre on Windley Key.
6. MONROE COUNTY: File No. 701-44-253.12. Eva L. Grant, et al, represented by G. A. Crawshaw, offered the established price of \$300.00 per acre for a parcel of submerged land in the Straits of Florida in Section 8, Township 63 South, Range 38 East, 0.72 of an acre on Plantation Key.
7. MONROE COUNTY: File No. 702-44-253.12. Roy I. Morrison, represented by G. A. Crawshaw, offered the established price of \$300.00 per acre for a parcel of submerged land in the Bay of Florida in Section 18, Township 63 South, Range 38 East, 0.76 of an acre on Plantation Key.

Without objection, the Trustees authorized the seven (7) parcels of submerged land in Dade, Lee and Monroe Counties advertised for objections only, based on the offers submitted.

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OKEECHOBEE COUNTY: File No. 705-47-253.36. Fred Judge, abutting upland owner represented by T. W. Conely, Jr., offered the appraised price of \$175.00 per acre for a parcel of reclaimed Lake Okeechobee bottom land in Section 35, Township 37 South, Range 35 East, 6.12 acres, more or less.

Upon motion duly adopted, the Trustees accepted the offer and authorized issuance of deed to Mr. Judge, without advertising, following the usual procedure of conveying permanently reclaimed lake bottoms to upland owners.

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#### BULKHEAD LINES

BREVARD COUNTY: The Director recommended for formal approval the bulkhead line on the east bank of the Banana River in Section 34, Township 24 South, Range 37 East, adopted by the Board of County Commissioners of Brevard County on June 23, 1960. It was explained that the line, approximately three-fourths of a mile in length lying in front of uplands in Cocoa Ocean Beach Subdivision, was a retraction of the line adopted by the County on December 18, 1958, the revised line being much more conservative.

Upon motion by Mr. Larson, duly adopted, the Trustees formally approved the bulkhead line adopted by Brevard County.

ALSO, BREVARD COUNTY: File No. 706-05-253.12. Application was presented from Southwind Corporation, abutting upland owner represented by Davis Engineering Company, with offer of the

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appraised price of \$551.47 per acre, for a parcel of submerged land in the Banana River in Section 34, Township 24 South, Range 37 East, within the above approved bulkhead line.

Upon motion duly adopted, the Trustees authorized advertisement of the parcel for objections only.

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PINELLAS COUNTY: The Director recommended for formal approval the bulkhead line adopted by Pinellas County Water and Navigation Control Authority on June 11, 1959, located in front of upland in vicinity of Moccasin Branch, West Oldsmar, in Sections 22 and 23, Township 28 South, Range 16 East, for a portion of the shoreline of Safety Harbor Bay.

Upon motion by Mr. Larson, seconded and adopted, the Trustees formally approved the bulkhead line adopted by Pinellas County Water and Navigation Control Authority, as recommended by Mr. Ferguson.

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MANATEE COUNTY: The Trustees were advised of a letter from the Terra Ceia Village Improvement Association's Executive Board reporting that its eight members voted seven to one to protest the Trustees' approval on June 21, 1960, of bulkhead lines fixed by the Manatee County Commission, and to request reconsideration. Attention was called to the fact that of the lines approved, the nearest was two miles from Terra Ceia Island.

The Trustees discussed the matter, but no further action was taken. The approval of June 21st stands unchanged.

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#### MISCELLANEOUS

CHARLOTTE AND SARASOTA COUNTIES: Spoil disposal areas were required by West Coast Inland Navigation District south of the north line of Section 5, Township 40 South, Range 19 East, for construction of the Intracoastal Waterway through Lemon Bay, open water of which in some areas was inadequate for spoil islands. Present to explain the matter were Dewey Dye, Jr., Col. George Kumpe, and Sarasota County Commissioner James Spanos. Mr. Dye demonstrated the problems of spoil disposal on maps displayed for examination by the Board.

The riparian upland owners desired to cooperate with the District and the U. S. Engineers but preferred to have the spoil placed on areas of upland and on submerged lands for extension of their uplands, for which in the Sarasota County portion of the project revision of the county's bulkhead line to accommodate the spoil was contemplated. Information was that Sarasota County had tentatively agreed to revise the bulkhead line. Riparian owners desired assurance that such areas marginal to upland would be sold at fair appraised value after amendment of the bulkhead line, in order that the filling with spoil could proceed, and the District had entered into negotiations with the private owners to provide areas for spoil.

Assurance of the availability of spoil areas was required by the U. S. Army Corps of Engineers before the construction contract was advertised. Under federal dredging procedures, definite determination was not made that a given spoil area would be utilized until approximately 45 days after the contract was awarded. As it was not desirable to grant spoil area easements unless the area would be used, it was desired to issue a commitment for the grant of spoil areas but to defer granting actual easements until the utilization of areas was determined.

The Trustees noted that the proposed revision of the Sarasota County bulkhead would create a symmetrical line and help to solve

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the spoil disposal problem in the narrow width of Lemon Bay, that the Charlotte County bulkhead line without change would accommodate the project, that applications from the private owners would be treated alike and fairly, and Mr. Larson commended the staff for its work on the proposal which appeared desirable both for the District and for the riparian owners.

Without objection the Trustees approved granting of temporary spoil areas adjacent to upland, contingent upon appropriate revision of the bulkhead lines and purchase of the submerged lands within such lines by the riparian owners in advance of actual filling, the sales to be made subject to a temporary spoil easement; and that upon determination that spoil areas would be used, that bulkhead lines were adjusted and submerged land sales were confirmed, then in that case temporary spoil easements should be issued; also that the applications of private owners in the area would be given equal consideration when received; and that certified copies of these minutes be forwarded to the District and the U. S. Army Corps of Engineers.

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DUVAL COUNTY: Upon motion by Mr. Larson, duly adopted, the Trustees granted perpetual dedication to the State Road Department for state road purposes over the bottoms of the Ribault River in Section 39, Township 15 South, Range 26 East, within the limits of the extension of the present right of way for State Road No. 115.

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MANATEE COUNTY: Upon motion by Mr. Larson, duly adopted, the Trustees granted temporary easement to the State Road Department for dredging over the bottoms in Section 35, Township 33 South, Range 17 East, being an expansion of an area included in a former easement to the Road Department, and additional area required for traffic interchange for the Skyway and the widening of a portion of State Roads 45 and 55 in that vicinity.

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HIGHLANDS COUNTY: Upon motion duly adopted, the Trustees approved fill permit to George Rowe for minimum charge of \$25.00 for dredging 400 cubic yards of material from bottoms of Lake Jackson, Sebring, Florida, within the riparian limits of his upland property in Government Lot 4 of Section 24, Township 34 South, Range 28 East, to improve applicant's beach, the Game and Fresh Water Fish Commission having approved dredging in this lake.

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HILLSBOROUGH COUNTY: J. T. Fleming, as Trustee of J. T. Fleming Foundation, presented request that the Trustees, acting as Board of Drainage Commissioners of the State under Chapter 298.01 Florida Statutes, take action to petition the Court for establishment of a drainage district in Hillsborough County for Sun City and vicinity, legal action which he was precluded from taking because of an injunction in the county against his filing any further suits. He recounted the circumstances in 1951 when he attempted unsuccessfully to have petition for establishment of drainage district filed. He represented that of the 884 acres covered by the proposed district, he owned 442.

The Director stated that Mr. Fleming wished to include the Railroad and the State Road Department property, and that neither the Trustees, the State of Florida under Murphy Act, or the State Board of Education were owners of any land in the proposed district. It was suggested that the district could be set up by Legislative Act, and the Director recommended against the Trustees becoming involved.

Attorney General Ervin said that not for years had the Trustees exercised its permissive duty in setting up a local drainage district, the statute almost having gone into disuse, that it was

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a matter for local autonomy and others in the area could bring the petition, that many districts were created by Legislative Act. Letter of Director John W. Wakefield of the Department of Water Resources indicated that additional drainage facilities for the Sun City area would be beneficial, and in view of the peculiar circumstances in the case, Mr. Ervin stated that the Trustees might consider assisting Mr. Fleming provided he secured favorable expression from Hillsborough County Commission and no objections to formation of the drainage district, and provided it was shown that other owners in the area favored the petition and, along with Mr. Fleming, would provide the money required.

Upon motion by Mr. Larson, duly adopted, the Trustees referred the applicant's request to Mr. McLane for legal study and report at the next meeting, directed that County Commission be requested to make recommendation or expression in the matter, that in event the Trustees allowed use of their name to assist, all the costs incurred in preparing, filing and processing of the legal action be furnished by Mr. Fleming and those interested in establishment of the drainage district, and that it be understood that the Trustees would not be setting a precedent for establishing local drainage districts.

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MONROE COUNTY: Frank E. Solomon applied on behalf of Watkins Marine and Salvage Company for salvage lease covering four acres square, centered Latitude 24°48'07" North, Longitude 80°45'09" West, approximately 9,600 feet south-southwest of Craig, in Hawk Channel.

Upon motion duly adopted, the Trustees authorized issuance of three-year exclusive lease at annual rental of \$100.00, subject to the usual 25% royalty and the other usual treasure lease provisions.

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MONROE COUNTY: Thomas J. Porst and wife applied for State Permit to construct a marina in front of their upland property at Jewfish Creek in Section 36, Township 60 South, Range 39 East, the plan being modification of finger pier plan authorized by U.S. Engineers in 1943.

Upon motion by Mr. Larson, duly adopted, the Trustees authorized issuance of State Permit with the usual provisions, for processing fee of \$100.00.

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MONROE COUNTY: C. G. Bailey, on behalf of Leonard Lowe, Sr., applied for State Permit for dock and boat slips in Vaca Cut in front of his upland on Key Vaca. County permit had been granted. The submerged land was part of 400-foot right of way of State Road 5, and State Road Department advised that it would concur in Trustees' permit if clause was included subjecting the area to the Road Department's easement (former F.E.C. Railway right of way).

Objection by Frank Elliott, owner of adjacent upland and marina, stated that permit to applicant would be unfair competition, and would create dangerous current, which objections were satisfactorily answered by Mr. Bailey in the opinion of the Trustees' staff.

The Director recommended that objections be overruled and permit authorized with clause "subject to rights granted by Chapter 5595 Laws of Florida, Acts of 1905" which is the legislative grant of railroad right of way now owned by the State Road Department.

Attorney General Ervin questioned the location of proposed marina in relation to the road fill and probable future need by the State Road Department.

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Upon motion by Mr. Larson, seconded and adopted, the matter was referred to the Attorney General and Mr. McLane for study and recommendation.

PINELLAS COUNTY: File No. 306-52-253.124. Formal approval by the Trustees was recommended for Permit No. DF106 granted by Pinellas County Water and Navigation Control Authority on June 30, 1960 to Curlew Properties, Inc., for dredging and filling on Hayes Tract and Ward Island property in connection with right of way across St. Joseph Sound for the Dunedin Causeway project. Adrian S. Bacon explained that this land was privately owned abutting the mainland, not a part of the area under the contract approved by the Trustees for Dunedin Causeway, but was a part of the over-all improvement project.

Upon motion duly adopted, the Trustees approved issuance of the permit as granted by Pinellas County Water and Navigation Control Authority.

PINELLAS COUNTY: File No. 325-52-253.124. Formal approval by the Trustees was recommended for Permit No. DF100 granted by Pinellas County Water and Navigation Control Authority on July 12, 1960, to Belleair Properties, Inc., for dredging and filling of two areas conveyed by Trustees under Deed No. 22348 on December 30, 1959.

Upon motion duly adopted, the Trustees approved issuance of the permit as granted by Pinellas County Water and Navigation Control Authority.

SUBJECTS UNDER CHAPTER 18296

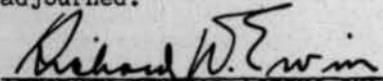
Without objection, the Trustees approved Bidding Report No. 759 listing one regular bid for purchase of Murphy Act land, and authorized issuance of deed pertaining thereto.

BREVARD COUNTY: The Director recommended refund of the amount received by the State, \$90.00, to Emma A. Chorpene, grantee in Murphy Act Deed No. 1757 dated January 15, 1957, for the reason of void description.

Upon motion duly adopted, the Trustees authorized refund of \$90.00 to the grantee in the Murphy Act deed.

Upon motion duly adopted, the Trustees adjourned.

ATTEST:   
DIRECTOR-SECRETARY

  
ATTORNEY GENERAL-ACTING CHAIRMAN

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7-19-60

Tallahassee, Florida  
July 26, 1960

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office, in the Capitol.

Present:	LeRoy Collins	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Lee Thompson	Commissioner of Agriculture

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Van H. Ferguson                      Director-Secretary

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#### LAND SALES

DADE COUNTY: File No. 632-13-253.12. On June 14 the Trustees considered application of Christian Wittkow, abutting upland owner represented by Biscayne Engineering Company, with offer of the appraised price of \$1,280.00 per acre for a parcel of submerged land in Biscayne Bay in Section 22, Township 54 South, Range 41 East, City of Miami, lying Southeasterly of and abutting Lots 4, 5, 6, 7, 8, 9, Block 43 of New Biscayne, according to the plat thereof recorded in Plat Book "B" at Page 16, Public Records of Dade County, Florida, containing 3.46 acres, more or less, within the established bulkhead line. The parcel was advertised for objections in The Miami Herald, and proof of publication was filed with the Trustees.

Protests to the sale were filed by J. G. Robertson, Wallace Culbertson, Alex Culbertson, Mrs. J. Culbertson, and Mrs. Lucie Romfh, and the Director recommended deferment for two weeks for further investigation of documentary proofs of ownership.

Upon motion duly adopted, the Trustees deferred action for further checking by the staff.

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MONROE COUNTY: File No. 674-44-253.12. On June 14 the Trustees considered application of The Lida Corporation, abutting upland owner, represented by Brooks V. Bateman, with offer of the established price of \$300.00 per acre for a parcel of submerged land in the Straits of Florida in Section 12, Township 66 South, Range 32 East, Key Vaca, 4.5 acres, more or less. The parcel was advertised for objections in the Florida Keys Keynoter, Marathon, Florida, and proof of publication was filed with the Trustees.

Objection on grounds of obstruction of view was filed by Edward W. Paytak. Also, the staff had requested applicant to revise the layout to make provision for dedication of street extensions.

Upon motion duly adopted, the Trustees deferred action on the proposed sale.

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MONROE COUNTY: File No. 631-44-253.12. On June 14 the Trustees authorized advertisement for objections only upon application by Ralph E. Lewis, et al, riparian upland owners, with offer of the established price of \$250.00 per acre for a parcel of submerged land in Long Key Bight in Sections 34 and 35, Township 64 South, Range 35 East, containing 59.21 acres, more or less. The parcel was advertised in The Key West Citizen, and proof of publication was filed with the Trustees.

Preliminary development plans previously considered by Trustees had received favorable report from the Coastal Engineering Laboratory. The Board of County Commissioners of Monroe County in

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Resolution adopted June 7 approved the sale and recommended approval by the Trustees, reciting that application had been thoroughly investigated and it was determined that applicant's plans would not interfere with conservation of natural resources and sale would greatly improve Long Key and benefit the County. Letters favoring the application were received from M. Lewis Hall of Miami, Gilbert B. Schaeffer of Key Largo, the latter with 151-name petition attached approving sale.

In view of grants aggregating at least 500,000 acres of islands and submerged lands in Monroe County for the Great White Heron and the Everglades National Park refuges, the Director recommended that objections be overruled and sale confirmed with requirement of firm commitment that the commercial development be limited to the 6.36 acres nearest the highway, that the long parcel be used only for access road and air strip and be appropriately landscaped, that the open canal planned at the west end of applicant's upland be dedicated as a public waterway, and that deed be withheld for 30 days to allow applicant to obtain right of way, if possible, from adjacent owner, or to allow objectors opportunity to take legal action. It was explained that application was presented as a last-resort effort to obtain access, and that recent developments indicated possibility for arrangement with adjacent owner for access, which would make the causeway plan unnecessary.

Damage from dredging and causeway construction by interference with view, navigation, circulation of the waters in the Bight, fish feeding and nursery grounds, were the basis of objections filed and presented on this date by the following: Herbert L. Alley on behalf of Upper Keys Conservation Council, Del Layton for Long Key Improvement Association, Izaak Walton League, Florida Motel Association, Mrs. J. M. Ryder, George Harrington, C. R. Bramer, C. H. Callison of National Audubon Society, G. B. Stevenson of Monroe County Audubon Society, Lloyd Miller of Florida Salt Water Conservation Association of Miami, Messrs. Patterson, Majors and Hartwell for Sidarlen Corporation, (owner west of applicants), Caroline V. Cohen of Florida Council of Izaak Walton League, G.W.R. Andrade (recent purchaser of submerged land at Ellison Key), as well as a great many other cards and letters of protest.

Representative Bernie C. Papy spoke in favor of the development as being good for Monroe County and, planned as it was, would not in his opinion cause damage as charged by the objectors, especially in view of the thousands of acres now in conservation and refuge areas. He called attention to the applicant's unsuccessful attempt to obtain access from the owner of adjacent undeveloped property west of applicants, and emphasized the desire of many citizens of Monroe County for progress such as this development offered toward improving facilities for residents and tourists.

Attorney General Ervin advised those present that the Trustees were always interested in conservation of marine life and tried to balance rights of developers against rights of the public in boating, fishing and recreation. He recommended that applicants and adjacent owner get together, with Mr. McLane sitting in, and work out an agreeable solution for access by an alternate route which would make the causeway unnecessary.

Ralph E. Lewis and Raymond A. Webb, applicants, stated that they would try in good faith to work with Sidarlen to reach solution for access. Mr. Lewis asked the Board to confirm sale and withhold deed for 30 days as suggested by the Director.

Governor Collins was opposed to confirming the sale, and without objection, the Trustees took the matter under advisement and requested the parties to negotiate for right of way for access to the applicants' property over existing land.



PALM BEACH COUNTY: File No. 649-50-253.12. On June 14 the Trustees deferred action for working out objections filed to application by Edna Duncan, abutting upland owner, for purchase of a parcel of submerged land in Lake Worth in Section 10, Township 43 South, Range 43 East, 0.403 acre, within the established bulkhead line of the City of West Palm Beach, for which the adjusted appraised price was \$862.00 per acre.

No further evidence having been filed to substantiate objections, upon re-examination of the application maps the Trustees stated that protests seemed unjustified.

Upon motion by Mr. Larson, unanimously adopted, the Trustees overruled objections and confirmed sale of the advertised parcel to the applicant at the price offered.

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PINELLAS COUNTY: File No. 667-52-253.12. On July 19 the Trustees deferred action for further checking by the Director of appraisals in connection with application by Wimp, Inc., riparian upland owner, for a parcel of submerged land in St. Joseph Sound in Section 27, Township 28 South, Range 15 East, 2.17 acres adjacent to new city marina in Dunedin. Applicant had submitted his appraiser's report of \$1,350.00 per acre, and offered to pay \$1,500.00 per acre.

The Director recommended requirement of not less than \$5,000.00 per acre, in view of the facts and his information regarding other similar lands. Prices reported for current private sales being considerably higher than those received by the state in some cases, he felt that no reduction should be made. Recent aerial photos were examined by the Board.

Upon motion by Comptroller Green, unanimously adopted, the Trustees agreed to sale of the parcel applied for by Wimp, Inc., subject to payment of the appraised value of \$5,000.00 per acre.

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#### APPLICATIONS TO PURCHASE

MANATEE COUNTY: File No. 653-41-253.12. Manatee Development Co., abutting upland owner represented by Myers and Associates, Inc., offered \$250.00 per acre for a parcel of submerged land in Palma Sola Bay in Section 1, Township 35 South, Range 16 East, within the established bulkhead line, containing 31.65 acres, more or less, appraised at \$560.00 per acre. Ralph F. Myers requested reduction in price, pointing out that only two-thirds of the limited extension allowed by the bulkhead line would be filled, and that other comparable sales had been made at lesser prices.

Mr. Green stated that many developments planned waterways in part of the submerged area purchased with no reduction allowed in price, that the Board was not in a position to make sales except on basis of appraised values, and he recommended that the land be advertised for objections only based on \$560.00 per acre.

Mr. Larson seconded the motion, but recommended that first the Director contact the appraiser for re-confirmation of the appraisal report.

Upon motion duly adopted, the Trustees deferred action until further checking by the Director of value of the parcel.

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MONROE COUNTY: File No. 703-44-253.12. John W. Waltz, abutting upland owner represented by C. G. Bailey, offered the established price of \$250.00 per acre for a parcel of submerged land in the Straits of Florida in Section 6, Township 66 South, Range 33 East, Key Vaca, containing 0.8 of an acre, more or less.

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Upon motion by Mr. Green, duly adopted, the Trustees authorized advertisement of the parcel for objections only.

#### BULKHEAD LINES AND APPLICATIONS

PINELLAS COUNTY: The Director recommended approval by the Trustees of the revised bulkhead line in Section 3, Township 27 South, Range 15 East, in City of Tarpon Springs, being approximately 1,000 feet long lying bayward of uplands on Piney Point in St. Joseph Sound, and being a retraction landward of the line advertised by the Pinellas County Water and Navigation Control Authority for local public hearing on September 25, 1958. The revised line was adopted by the Authority on September 10, 1959, and certified to the Trustees July 14, 1960.

Upon motion by Mr. Larson, unanimously adopted, the Trustees formally approved the revised bulkhead line as adopted by Pinellas County Water and Navigation Control Authority on September 10, 1959.

ALSO:

PINELLAS COUNTY: File No. 236-52-253.12. James Thomas and wife, riparian upland owners represented by Ben Krentzman, applied to purchase a parcel of submerged land in St. Joseph Sound in Section 3, Township 27 South, Range 15 East, 1.4 acres within the bulkhead line approved above. Filed in the Trustees' Office were certified copy of county action on September 10, 1959, approving the sale, and proof of publication of notice. Appraised value of the area in 1957, when applicant first contacted the Trustees relative to purchase, was \$275.00 per acre, however sale at \$600.00 for the parcel was recommended by the staff.

Upon motion by Mr. Green, unanimously adopted, the Trustees approved sale subject to applicant agreeing to the price of \$600.00 for the parcel, in line with current prices.

PINELLAS COUNTY: The bulkhead line adopted by Pinellas County Water and Navigation Control Authority on April 28, 1960, for the northerly portions of Pine, Cabbage and Pardee Keys in Boca Ciega Bay, most of the area being existing ownership of Tierra Verde Corporation, was recommended by the Director for formal approval by the Trustees, since it provided a desirable public waterway and an improved contour for that portion of the development, allowing a net enlargement of 3.37 acres.

The bulkhead line provided for a public waterway to extend through Tierra Verde, connected with a bulkhead line approved by the Trustees on August 5, 1958, the former line encompassing most of an area owned by Walter Collany consisting of Island No. 9 and adjacent submerged lands.

The Trustees carefully examined the several maps and plats, and it was pointed out that the bulkhead line fixed by the Authority delineated more regular and desirable contours of waterways and fill areas for Tierra Verde development, excluded 28.58 acres (17 parcels) of private ownership and included 31.95 acres (16 parcels) of submerged land riparian to Tierra Verde ownership - a net increase of 3.37 acres.

Upon motion by Mr. Larson, duly adopted, the Trustees formally approved the bulkhead line fixed by the Pinellas County Water and Navigation Control Authority on April 28, 1960.

Further discussion was had of Dr. Bradley Waldron's proposal that Tierra Verde be allowed to convey back to the Trustees the 28.58 acres outside the bulkhead line and purchase the 31.95 acres riparian to the development inside the line, on the basis of exchange on acre-for-acre basis with payment for the net area difference of 3.37 acres. Mr. Ferguson recommended that Trustees accept reconveyance of the 17 parcels outside the bulkhead line, stated that none

of the 16 parcels sought adjoined other owners nor touched bulkhead lines previously fixed for other ownerships, and suggested that exchange be allowed with credit given for the reconveyed area and a price of \$200.00 per acre for the 3.37 acre additional area.

Governor Collins mentioned the unfavorable press reports regarding public areas in the Tierra Verde sale, and the Director, Dr. Waldron, Attorney General Ervin and Assistant Attorney General McLane reviewed the provisions of that former sale and the recorded agreements insisted on by the Board and agreed to by the developer as to the areas dedicated for municipal uses, school sites, 1,500 foot beach area, access to water, which agreements were referenced to the development plan map. At this point, Attorney General Ervin stated that another instrument should be prepared, with metes and bounds descriptions of the areas dedicated for beach, school, and other public purposes, since the former recorded agreements were referenced to a map which he did not consider entirely clear and satisfactory. Mr. Baya Harrison, representing Tierra Verde interests, agreed that such descriptions could now be made and the instrument as desired by Mr. Ervin would be prepared.

The Director advised that none of the adjustments requested on this date affected the previous Tierra Verde sale in so far as the formal agreements in connections therewith were concerned.

Dr. Waldron and Mr. Harrison explained that waterways within the development were dedicated to the public use, that the 17 parcels proposed to be reconveyed would thereby be insured as free public waters, and that the adjustments requested were made necessary by the engineering design of the development. However, the Trustees were not in agreement as to allowing credit for the 17 parcels proposed to be reconveyed, the Governor pointing out that the conveyed water areas would also be used by the development. The Governor proposed, and Dr. Waldron agreed, that payment be made for the entire 31.95 acres, more or less, that were riparian to Tierra Verde and within the new bulkhead line, and that reconveyance of the 28.58 acres outside the line would be accepted by the Trustees.

Wilbur C. Stone, on behalf of Walter Collany, requested dedication of the sovereignty area between Cabbage Key and Island No. 9, reviewed some of the history of the Tierra Verde application charging lack of cooperation and inability to work out an access for Island No. 9 to the Bayway, and stated that he thought when the state sold property, all property owners were entitled to connection with a public right of way.

The sovereignty area was clearly riparian both to Cabbage Key and the Collany ownership, being within a closed bulkhead line encompassing both private ownerships and the sovereignty parcel. No public agency had joined in request for right of way, which, under Section 253.126 Florida Statutes the Trustees could not grant without written consent of the private riparian upland owners. Island No. 9 when purchased was an island, the gooseneck area appearing to have silted or accreted to connect the two ownerships, the filling believed by the staff to have been the result of dredging operations in Dent's Channel northerly of the Collany tract. The sovereignty parcel was already public in nature, and when the request was considered on February 2, 1960, the Trustees affirmed that the area "was state sovereignty land dedicated to the public interest and that favorable consideration would be given at a later date to granting right of way for public use".

Attorney General Ervin strongly urged that at this time an agreement be reached by Tierra Verde interests and Walter Collany, owner of Island No. 9, separated now by only about 600 feet of partially silted up sovereignty land referred to as the gooseneck, for access to be provided for Collany to the Bayway. Mr. Ervin approved the adjustments requested by Dr. Waldron and was agreeable to exchange as suggested by Mr. Ferguson, allowing credit for the reconveyed land, but he felt that there was moral equity in the long outstanding request of Mr. Collany for access to the

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Bayway. He agreed that legally the Trustees could not require private owners to grant right of way, but emphasized that in his opinion the parties should make another effort to reach an agreement, and that the Collany interests should be willing to pay for extra expense to Tierra Verde of any change of engineering plans which might be required to provide Collany the desired access across Tierra Verde land to the Bayway.

Dr. Waldron and Mr. Harrison protested that they had tried to negotiate with Mr. Collany, that work on their project would be delayed, and that while they would try again to come to an agreement, they felt that the two matters should be handled separately each on its own merits.

Governor Collins and Mr. Larson did not feel that settlement of the differences between the two private owners should be a problem of the Trustees, but that a negotiated settlement would be desirable.

The bulkhead line having been approved, the action of the Trustees on the remainder of the related subjects was as follows: That the Trustees reaffirm the action on February 2, 1960, affirming that the area "was state sovereignty land dedicated to the public interest . . ."; that another instrument should be prepared showing adequate legal descriptions of areas designated for public purposes in the Tierra Verde formal agreements; that action on the proposed reconveyance of 28.58 acres to the Trustees and purchase of 31.95 acres by Tierra Verde Corporation should be deferred for one week, and that during the interval the Collany and Tierra Verde interests try to reach a settlement, if possible, regarding access for Island No. 9 to the Bayway.

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#### MISCELLANEOUS

GLADES COUNTY: Lykes Brothers, Inc., holder of grazing lease No. 109, requested one year extension on expiration of current lease August 24, 1960, which lease covered 148 acres in Sections 27 and 34 of Township 40 South, Range 32 East, at \$1.00 per acre per year.

Upon motion duly adopted, one year extension was authorized, on the same terms and conditions.

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GLADES COUNTY: E. P. Scarborough requested five-year renewal of grazing lease No. 741, expiring today, covering 220 acres of re-claimed Lake Okeechobee land in Sections 34 and 35 of Township 39 South, Range 33 East, at \$1.00 per acre per year. He asked for rental reduction because of high water in the area, with lease on year-to-year basis subject to right of cancellation by him when new levee prevented further grazing.

Upon motion unanimously adopted, the Trustees approved new lease for five-year period at \$1.00 per acre per year, with clauses for cancellation by Trustees or by lessee.

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HIGHLANDS COUNTY: Upon motion duly adopted, the Trustees authorized issuance of a permit to L. O. Aldridge of Avon Park, Florida, for minimum charge of \$25.00, to remove 450 cubic yards of material from bottoms of Lake Letta in Section 6, Township 34 South, Range 29 East, to improve the shoreline of applicant's residential lot, the Game and Fresh Water Fish Commission having previously approved dredging in the lake.

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HILLSBOROUGH COUNTY: At the request of J. T. Fleming, the Trustees delayed until next week further consideration of a proposed drainage district for Sun City and vicinity, in Hillsborough County, presented



to the Board on July 19 and referred to Assistant Attorney General Ralph McLane for study.

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HILLSBOROUGH COUNTY: Lem P. Woods, President, Board of Supervisors of Southwest Tampa Storm Sewer Drainage District, submitted recommendation from the district that Trustees, as Board of Drainage Commissioners of the State under provisions of Section 298.12, Florida Statutes, appoint Mrs. Margaret H. Green to succeed herself as Supervisor for a term of three years from expiration date of her preceding term, August 1, 1960. There was present at land owners' meeting, duly advertised and called for the purpose of electing a supervisor, less than a quorum of land owners and therefore no legal election could be had, but by unanimous vote of the 48 land owners present Mrs. Green was recommended for re-appointment.

Upon motion duly adopted, the Trustees appointed Mrs. Green as Supervisor for a three-year term, as recommended.

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MANATEE COUNTY: Florida Audubon Society made application for dedication or commitment of "Bird Island" in the E $\frac{1}{2}$  of NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 27 and in W $\frac{1}{2}$  of W $\frac{1}{2}$  of NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 26, Township 35 South, Range 17 East, as a wildlife sanctuary. The island, comprising about three acres, was in Sarasota Bay outside the bulkhead line approved by Trustees on June 21, 1960. On November 4, 1957, the Board of County Commissioners endorsed the creation of a bird sanctuary on the island, and the application by Florida Audubon Society was made at the suggestion of the Whitfield Zoning District.

Upon motion by Mr. Green, duly adopted, the Trustees approved lease of the area to Florida Audubon Society for a wildlife sanctuary, at \$1.00 per year, subject to cancellation when required for a public purpose.

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PINELLAS COUNTY: Ratner Project; State Road Department Bayway; Florida Presbyterian College.

On April 5, 1960, the Trustees considered the problems presented by requirements of the State Road Department for the Bayway, pending litigation on submerged land conveyances and filling in Pinellas County (Furen-Ratner development project), and the Florida Presbyterian College application (File No. 486-52-253.12). There were inserted into the minutes a letter and Resolution outlining things to be done and agreements made, to be carried out if and when the Ratner interests (Leonard Lee Ratner, et al) won the pending litigation.

Representing the Ratner interests, J. Velma Keen reported the end of litigation, and asked that the Trustees give the order immediately to complete the agreed-upon transactions so that the development could go forward. He stated that Ratner interests were successful in litigation pending in April, 1960, in the District Court of Appeals for the Second District of Florida, in Lakeland, and outlined the things which were previously agreed upon (see Minutes of April 5, 1960) as follows: a contemporaneous exchange of deeds, Ratner interests conveying all its lands back to the Trustees and Trustees in turn reconveying that land together with other small strips so as to close up some small hiatus areas; the Ratner interests would convey to the State Road Department from 80 to 90 acres for right of way and also interchange construction area, descriptions for this part of the agreement expected to be available in two or three days; Ratner interests would furnish State Road Department easement for fill slopes, provide proper drainage, and refrain from dredging operations within certain distances of the Road Department's fills; and Ratner interests would convey to the Florida Presbyterian

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College as a gift approximately 16 acres. Mr. Keen reported that the Ratner interests had joined with the Road Department in requesting from Federal Government permit to build the Bayway, which was granted by the U. S. Corps of Engineers. Also, the Ratner interests had released to the Presbyterian College a 100-foot strip of land, as agreed. He stated that the Bayway had sold its bonds, and upon order of the Trustees that the agreements were carried out, the Ratner interests then would proceed to apply to Pinellas County for establishment of bulkhead line and for new or renewed permit, completing long negotiations.

Attorney General Ervin asked the Trustees to hear report from Mr. McLane on the litigation, which was as follows: Trustees' case went first to District Court of Appeals, then to Supreme Court which reviewed and then sent it back to Court of Appeals where there was the same two-to-one split; for all practical purposes all that was legally possible had been done, and Special Assistant Attorney General T. M. Shackelford, Jr., did everything he could.

Mr. Ervin explained that when Governor Collins came into office, the Trustees repudiated the conveyance as far as possible and brought the suit to try to have the fill permit invalidated, and that it now appeared fruitless to try to take further action which would be only delaying action - although he had received requests from some people that further action should be taken.

Upon motion by Attorney General Ervin, seconded by Mr. Green, and unanimously adopted, the Trustees accepted the report on the litigation and agreed that no further legal action in the case should be taken.

Upon motion by Mr. Larson, unanimously adopted, the Trustees reaffirmed their approval of the agreements in the minutes of April 5, 1960, and authorized the immediate carrying out of said agreements insofar as action by the Trustees was required, under the direction and subject to the approval of the Attorney General in all legal details.

Upon motion duly adopted, the Trustees adjourned.

ATTEST:

  
DIRECTOR-SECRETARY

  
GOVERNOR - CHAIRMAN

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Tallahassee, Florida  
August 2, 1960

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office, at the Capitol.

Present:	LeRoy Collins	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Lee Thompson	Commissioner of Agriculture

Van H. Ferguson

Director-Secretary

Upon motion by Mr. Green, unanimously adopted, the Trustees approved the minutes of the meetings on July 19 and 26, 1960.

8-2-60

## SALES

COLLIER COUNTY: Oil Lease. Upon application by Humble Oil and Refining Company, the Trustees on June 14, 1960, authorized advertisement for oil and gas lease covering Trustees' reserved interest in 640 acres, more or less, described as unsurveyed Section 31 of Township 49 South, Range 31 East, Collier County. The lease was advertised for competitive sealed bids in the Collier County News and the Tallahassee Democrat, proofs of publication were filed in the Land Office, and on this advertised sale date bid of \$1,076.37 cash consideration, including the first year's rental and net bonus bid of \$756.37, was received from the applicant. No other bids were received.

Motion was made by Mr. Green and duly adopted that the Trustees accept the offer from Humble Oil and Refining Company and authorize issuance of lease in the usual form requiring royalty payments of one-eighth in kind or in value, plus fifty cents per acre annual rental increasing five percent of such original amount annually after the first two years, and shall be for a primary term of ten years.

PALM BEACH COUNTY: Pelican Pay Lands. The Director reported that pursuant to authorization on June 14 for small tract sale, 36 parcels were laid out and advertised, that on June 28 about 251 acres were withdrawn for the City of Belle Glade, and, with starting bid of \$453.00 per acre, bids were taken on July 28 at Glades Office Building near Pahokee, as follows:

Parcels 1, 2	\$507.00 per acre	Robt. Apelgren; Lloyd Hundley
3	507.00 per acre	Edgar W. Wilder
4	540.00 per acre	Robt. Apelgren; Lloyd Hundley
5	455.00 per acre	Louis Friend
6	453.00 per acre	James A. Ball
7	456.00 per acre	W. G. Hull
8,9,10	453.00 per acre	W. G. Hull
11	455.00 per acre	W. G. Hull
12,14	453.00 per acre	Joe E. Thompson
13	453.00 per acre	J. A. Wilkenson, Jr.
23	454.00 per acre	E. J. Graham
30	453.00 per acre	E. J. Graham

No bids were received for Parcels 15 through 22, 24 through 29, 31 through 33, and total area covered by bids was 1,100 acres, total amount of bids being \$516,800.00. High bidders were allowed 10 days to pay 5% of total bids and to furnish statement of intended use and plans for water control, and all bids were taken subject to right of Trustees to reject any or all.

Richlands, Inc., which had been allowed 90 days from July 28 to remove its pumps and other equipment as agreed upon, had submitted offer to lease the entire tract, and other parties requested opportunity to submit offers to purchase or lease the uncommitted remainder and to lease with 12-month cancellation clause the 370 acres set aside for the County and 215 acres withdrawn June 28.

Also, Robert D. Apelgren submitted proposal that all the parcel bids be accepted and the remaining parcels be leased for 25 years at \$20.00 per acre per year to the high bidders, allocating the lease areas in proportion to purchased areas, with access easements designated. Senator Fred O. Dickinson, representing Richlands, Inc., former lessee, emphasized that the state should retain ownership as part of the land undoubtedly would be required for state purposes in the near future, that his client offered to lease the 2,381 acres, plus the committed portions, until such time as they were needed for public uses, and that sufficient notice and opportunity had been given for those interested to bid on small tracts and to be present on this date. He urged acceptance of Richland's offer for lease of the whole tract at \$20.00 per acre per year, as it was not feasible to farm parts of the tract when an over-all

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drainage program was necessary, and said that consideration should be given to the lessee which over a period of years had developed the expensive drainage system and had paid in a large amount in rental. Mr. Apelgren pointed out that there had been as yet no opportunity for free competitive bidding for lease (without lessee's facilities), and that his group would like to bid on lease if bids on small tracts were rejected.

Tom Jones, representing U. S. Sugar Corp., offered \$453.00 per acre as base bid for public sale of the whole tract, and indicated that his company would not be interested in sale or lease unless the tract were offered as a whole. He also stated that because of U. S. Government regulations for sugar growers, lease with 5-year cancellation clause would be preferable.

Many interested parties were present and there was much discussion of the various proposals. Comptroller Green stated that he never had contemplated sale of only part of the area, and the Board again considered the drainage problems involved. Some concern was expressed over reduction of the rich farm tract by the large amount of acreage which had been withdrawn.

Disposition of the matter was brought to a vote on the following two motions:

- (1) That the high bids taken on July 28 be accepted and sale of the 16 parcels comprising 1,100 acres be confirmed to the high bidders, and that the remainder of the advertised area be offered for competitive bids on 10 to 15 year lease with starting bid of \$20.00 per acre per year; and
- (2) That the Trustees reject the bids received on July 28 and on next Tuesday offer the whole tract of 2,921 acres for competitive lease with minimum bid of \$20.00 per acre per year, lease term of 10 to 15 years to be discussed prior to taking of bids, with about 540 acres of committed areas subject to 12-month cancellation clause and balance subject to 2-year cancellation clause for not over 500 acres if required for state institutional use.

The first motion, favored by Governor Collins and Attorney General Ervin, failed of adoption.

The second motion, approved by Comptroller Green, Treasurer Larson and Commissioner Thompson, was adopted as the action of the Trustees and Mr. Ferguson was instructed to notify interested parties to be present on Tuesday next, for competitive bidding for the lease.

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PINELLAS COUNTY: Bradley M. Waldron, representing Tierra Verde Corporation, upland owner, came before the Board with request for further consideration of the matter of adjustments, deferred from July 26, at which time he had offered \$200.00 per acre for 31.95 acres of submerged land (16 parcels ranging from 0.05 to 10.82 acres), to be developed in accordance with engineering design of the fill plan. He had offered to reconvey 28.58 acres (17 parcels ranging from 0.03 to 16.39 acres) of private ownership which had been excluded from development by the bulkhead line adopted by Pinellas County and approved by the Trustees last week. Dr. Waldron had made several proposals to Walter Collany, owner of Island No. 9, but no acceptable solution had been reached for right of way easement for Collany. Dr. Waldron stated that the door was not closed, but that it should be settled by the private property owners in the manner of a business negotiation, that Tierra Verde land through which Collany wanted access donated was not land purchased from the state but from private owners, was mortgaged on the basis of an expensive engineering plan which would have to be revised for the easement and the additional traffic, that he did not think a court of law would force the property owner to give the island an easement through private property, and that Collany knew he was purchasing an island. He also said that

approximately fifteen million dollars was invested in Tierra Verde, work was progressing on a time schedule, and he strongly urged the Board to allow the work to proceed by granting sale of the small parcels needed to shape up that part of the development, since he would have to come back to the Board for approval of bulkhead line and filling of the other portion of the development.

Mr. Ferguson explained that the gooseneck of sovereignty land between the 17-acre island (including submerged land acquired from Trustees) and Tierra Verde was not involved in the application, and advised Dr. Waldron that separate legal descriptions of the parcels would be required.

Wilbur C. Stone, for Mr. Collany, stated that no proposal suggested by Dr. Waldron had been acceptable, the price asked for easement was excessive and he was not interested in any partnership of land or profits, that if right of way was donated Collany would do the paving and Waldron's development would get the use of it, and that allowing Collany access could be made a condition by the Trustees to sale of the 31.95 acres.

Attorney General Ervin again expressed his feeling that the Trustees should view the entire picture when making sales, and try to help owners who were developing to obtain access to highways, but that payment should be made for right of way. He agreed that legally Dr. Waldron was correct in that private property owners could not be forced, but should yield to neighbors who desired to reach the Bayway.

Motion was made and duly adopted that the Trustees accept reconveyance of the seventeen privately owned parcels totaling 28.58 acres, more or less, which were excluded from development by the bulkhead line approved on July 26, 1960, to insure their use as free public waters; and the Trustees confirmed sale to Tierra Verde Corporation of the sixteen parcels of submerged land totaling 31.95 acres, more or less, at \$200.00 per acre, situate between the bulkhead line and the existing upland and submerged land owned by applicant, contingent upon applicant agreeing to continue efforts to negotiate with owner of Island No. 9, Walter Collany, for right of way for access to the bayway, and in the event the parties cannot get together, the matter will be submitted later, at an appropriate time, to arbitration by a three-man committee one each to be appointed by Tierra Verde, Mr. Collany, and the Trustees, respectively.

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ST. JOHNS COUNTY: File No. 657-55-253.12. On July 19 the Trustees deferred action on offer of Antonio Sarris and wife, riparian upland owners, of the appraised price of \$1,000.00 per acre for a parcel of submerged land in the San Sebastian River in Section 19, Township 7 South, Range 30 East, in St. Augustine, comprising 1.2 acres within the established bulkhead line.

Upon further review, the State Road Department by letter of July 25 advised of its "approval of release of that part outside of the right of way for State Road 5 provided that no filling be done inside of the right of way", thereby withdrawing its request for retaining 25 feet of the land for drainage purposes.

Upon motion by Mr. Larson, seconded and adopted, the Trustees approved sale of the 1.2 acre parcel to the applicants, at the appraised price.

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#### APPLICATIONS TO PURCHASE LAND

The following eight (8) applications were presented from abutting riparian owners to purchase submerged land adjacent to their upland ownerships:

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- (1) INDIAN RIVER COUNTY: File No. 708-31-253.12. General Development Corporation, by E. J. Mackle, offered the appraised price of \$318.50 per acre for two parcels of submerged land in the Indian River in Section 32, Township 33 South, Range 40 East, containing a total of 0.59 of an acre within the established bulkhead line.
- (2) MONROE COUNTY: File No. 411-44-253.12. Edwin L. Jones and wife offered the established price of \$300.00 per acre for a parcel of submerged land in Bogie Channel in Section 25, Township 66 South, Range 29 East, Big Pine Key, containing 0.7 of an acre.
- (3) MONROE COUNTY: File No. 693-44-253.12. Floyd Lamb offered the established price of \$300.00 per acre for a parcel of submerged land in Bogie Channel in Section 25, Township 66 South, Range 29 East, Big Pine Key, containing 1.4 acres.
- (4) MONROE COUNTY: File No. 694-44-253.12. Joseph Kesler offered the established price of \$425.00 per acre for a parcel of submerged land in the Straits of Florida in Section 5, Township 64 South, Range 37 East, Upper Matecumbe Key, containing 0.35 of an acre.
- (5) MONROE COUNTY: File No. 711-44-253.12. L. L. Hood, et al, by G. A. Crawshaw, offered the established price of \$300.00 per acre for a parcel of submerged land in the Straits of Florida in Section 26, Township 62 South, Range 38 East, Key Largo, containing 19.0 acres.
- (6) MONROE COUNTY: File No. 712-44-253.12. Joe L. Burton and wife, by G. A. Crawshaw, offered the established price of \$425.00 per acre for a parcel of submerged land in Florida Bay in Section 27, Township 62 South, Range 38 East, Key Largo, containing 0.69 of an acre.
- (7) MONROE COUNTY: File No. 713-44-253.12. Herman Blackman, et al, by G. A. Crawshaw, offered the established price of \$350.00 per acre for a parcel of submerged land in the Straits of Florida in Section 5, Township 62 South, Range 39 East, Key Largo, containing 1.7 acres.
- (8) PALM BEACH COUNTY: File No. 704-50-253.12. Slorents, Inc., represented by Brockway, Weber and Brockway, offered the appraised price of \$3,279.75 for a parcel of submerged land in Lake Worth in Section 15, Township 43 South, Range 43 East, in the City of West Palm Beach, within the established bulkhead line, containing 0.326 acre.

Upon motion by Treasurer Larson, seconded and adopted, the Trustees authorized advertisement of the eight (8) parcels of submerged land applied for by the riparian upland owners, based on the prices offered.

#### BULKHEAD LINE AND APPLICATION

PASCO COUNTY: File No. 600-51-253.12. On April 5, 1960, the Trustees considered the offshore bulkhead line adopted February 10, 1960 by the County Commission of Pasco County, in the Gulf of Mexico offshore from upland of Robert E. Maxwell in Sections 13 and 24, Township 26 South, Range 15 East, and also discussed his application to purchase approximately 300 acres of submerged land subject to approval of the bulkhead line. During the course of the meeting and on request of the Trustees, applicant and objector, B. L. Mickler, with their representatives, conferred and announced withdrawal of the objections upon Mr. Maxwell agreeing to a northerly retraction of the division line to allow increase in the submerged area which might be allocated to the Mickler upland. Mr. Maxwell

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also offered to bear the engineering expense necessary for layout of the bulkhead line southerly of the Maxwell zone in order that allocation to Mr. Mickler could be delineated as well as southerly extension of the bulkhead line, the Trustees desiring submission of a line for the whole zone.

The Director reported that the County Commission on May 24 considered a new area drawing of the bulkhead line from the Burkland to the Bailey's Bluff control points, with extensions indicated for Maxwell, Mickler, Scarr and a portion of Bailey's Bluff Estates, with the division between Maxwell and Mickler adjusted for a more northerly extension for Mickler. Owners of Scarr and Bailey's Bluff Estates upland accepted the proposed bulkhead line; however, Mr. Mickler declined to accept and denied having agreed to any adjustment, whereupon the County adopted Resolution resubmitting the original line for Maxwell property fixed on February 10, 1960, and reaffirmed this action on June 14, 1960.

Mr. Ferguson advised that the bulkhead line for consideration on this date was the original line fixed on February 10 and resubmitted by the County, with the offshore limit in front of Maxwell upland the same as on the area bulkhead line map considered by the County on May 24 and June 14, the difference being in the indicated division line for allocations of submerged land to Maxwell and Mickler, that the area map showed a feasible bulkhead line and equitable for all owners between Bailey's Bluff and the Burkland development (Floramar) to the north of Maxwell, and that the Maxwell line was a unit of a coordinated plan for the whole zone. The staff recommended approval.

S. E. Mickler, Gladys Mickler, B. L. Mickler and Mrs. Lillian H. Mickler filed objections which, in addition to those presented on this date by C. Archie Clement and William Strode, attorneys for S. E. Mickler and Mrs. Lillian Mickler, respectively, were the same objections voiced on April 5 - encroachment on riparian rights (which Mickler interests claimed extended northerly from their upland) by damaging view, reducing the shoreline, interfering with a canal, and possibly setting precedent for applications for further filling in an area described as a sand bay. Sam Mickler insisted that the area west of extensions of west boundary lines of Sections 13 and 24 were riparian to his upland, and that his view to the north should not be obstructed.

J. Lewis Hall and Sam Allgood, attorneys for the applicant, pointed out that they had consulted the Trustees' staff several times, had complied with request of Trustees for a compromise retraction of the division line between Maxwell and Mickler and for preparation of an area bulkhead line, had borne considerable engineering expense and submitted the longer line to the County which had no engineering facilities, whereupon Mr. Mickler had denied and repudiated the agreement. Mr. Hall said that the line and division was fair and equitable, allowing the objector a larger pro-rata share of the offshore area than remained for the Maxwell upland, that Pasco County, before approving applications, had as a general rule the requirement of dedication of 10% of the shore line and 2% of the acreage for public uses, which Mr. Maxwell had done, and he urged approval without further delay to this client.

The Trustees examined several maps, discussed adjustments required in allocating equitable offshore areas, the difficulties resulting from piece-meal bulkhead lines and lack of engineering facilities in some counties, and the majority of the members felt that the bulkhead line considered here was reasonable and fair to the upland owners. However, it was preferable to have submitted by the County a bulkhead line for the whole area rather than for the Maxwell portion only.

Upon motion duly adopted, the Trustees took under advisement the application for bulkhead line and purchase, referred the matter back to the County Commissioners, two of whom were present, with request that the area bulkhead line from the southern point of the established Burkland line down to Bailey's Bluff be established

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by the County by whatever course they considered sound and proper in the public interest and then be submitted to the Trustees; that the Trustees would then take upon themselves the responsibility of making division of submerged land with respect to the upland owners.

#### LEASES

GLADES COUNTY: On July 5 the Trustees authorized a new lease to U. S. Sugar Corporation, to replace Lease No. 804 expiring July 26, 1961, covering 6.5 acres in Glades County, the new lease to become effective on expiration date, with an increased rental of \$10.00 per acre per year, and to contain a 12-month cancellation clause.

U. S. Sugar Corporation accepted increased rental but advised that the 12-month cancellation clause was not desirable inasmuch as the land was used for sugar cane planted for harvesting for 5 to 10 years. Upon cancellation before a 5-year term, lessee would lose considerable amount of unamortized cane.

The Director recommended that 12-month clause be waived, there being no anticipated need for cancellation.

Upon motion by Mr. Larson, duly adopted, the Trustees authorized issuance of the new lease without the 12-month cancellation clause.

PALM BEACH COUNTY: Five-year extension was requested by C. A. Thomas, holder of 5-year agricultural Lease No. 1001 covering 102 acres of reclaimed Lake Okeechobee land at \$5.00 per acre per year, with 30-day cancellation clause.

The Director recommended new 5-year lease at same rental with clause exempting Trustees from any claims for damage from flooding, and subject to 12-month cancellation clause.

Upon motion by Mr. Larson, duly adopted, the Trustees approved the recommendations of the Director as the action of the Board.

#### MISCELLANEOUS

DADE COUNTY: Bruce Vining, Jr., and George Stamos, representing owners of islands in outer and lower Biscayne Bay area (Ragged Keys and southerly) appeared before the Trustees with request for tentative approval and favorable consideration of grants of sovereignty areas for rights of way for proposed roads and bridges for access to present highway. Owners propose to construct connecting roads and bridges, and are seeking either to incorporate a municipality which may undertake the road and bridge construction and operation as a municipal project, cost to be liquidated by tolls and a tax levy to guarantee bonds, or to form Upper Keys Causeway Corporation as a non-profit enterprise to provide access which is necessary to development of the islands, and in event County or State Road Department should desire to acquire the roads and bridges during period of indebtedness, conveyance would be made upon reimbursement for improvements on pro-rata basis.

There was discussion of the efforts of owners over a very long period of time to obtain access and thereby derive some benefit from their approximately 4,000 acres and 14 miles of bay and ocean frontage in the extreme south of Dade County, from Sands Key to Key Largo in Monroe County, and that now by voluntary assessment funds would be raised by the owners. The plan for municipality incorporation was unanimously approved by Dade Metro Commission, Planning Board, and public hearing was scheduled. Trustees were asked for no funds, but for tentative consent to use of state bottom lands for rights of way, and were advised that owners had already provided rights over private lands.

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The Trustees desired to encourage the private efforts, but commented that in view of the magnitude of the project, presentation appeared premature, and that enabling legislation and full cooperation of Dade County and the State Road Department should be secured.

Mr. Larson suggested that the project be taken under advisement, and that the island owners' interest in development of the project should be commended.

It was so ordered.

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HILLSBOROUGH COUNTY: On July 19 the Trustees referred to Assistant Attorney General Ralph McLane for report the request of J. T. Fleming that Trustees, as Board of Drainage Commissioners under Chapter 298.01 Florida Statutes, petition the Court for establishment of a drainage district for Sun City and vicinity, in Hillsborough County.

Mr. McLane conferred with county officials, and in view of pending federal soil conservation program known as Little Manatee River, which has as its purpose complete water control of the south end of Hillsborough County with cost to be entirely borne by the U.S. Government, which would be on a broader basis and more desirable to the county than the requested drainage district, Mr. McLane suggested that the matter be deferred.

Upon motion by Mr. Larson, unanimously adopted, the Trustees approved the report of the Assistant Attorney General, and in the absence of approval by Hillsborough County, declined to take action on the request by Mr. Fleming.

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MANATEE COUNTY: Dewey A. Dye, Jr., on behalf of Kathryn B. Oser, applied for disclaimer under Section 253.129 Florida Statutes for a parcel of land filled prior to May 29, 1951, situate in Section 26, Township 34 South, Range 17 East, comprising 0.09 of an acre.

Upon motion by Mr. Larson, seconded and adopted, the Trustees authorized issuance of the disclaimer for the usual charge of \$10.00.

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ST. LUCIE COUNTY: W. C. Law applied for commercial or industrial dock permit to construct two docks, one for marine railway and the other for boats, in the Indian River offshore from upland in Section 3, Township 34 South, Range 40 East, under lease of DiGiorgio Fruit Corporation. Approved by Board of County Commissioners on July 20, the project will include limited dredging to provide navigable areas for the docks, with no filling of submerged land. U. S. Corps of Engineers Permit No. SAKSP 60-324 was pending.

Upon motion unanimously adopted, the Trustees approved issuance of State Permit for commercial docks for the usual processing fee of \$100.00.

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SUBJECTS UNDER CHAPTER 18296

Upon motion by Mr. Larson, duly adopted, the Trustees approved Report No. 760 listing two deeds approved by Attorney General's Office, as follows: Hillsborough County Deed No. 506-Duplicate to W. A. Armwood, and Palm Beach County Deed No. 3206-Corrective-Supplemental to Werner Berlin, Walter Berlin, Berthold Berlin, Andrew Graham and Gustave A. Miklovich.

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OSCEOLA COUNTY: State Road Department requested easement for State Road S-525 for highway rights of way over a parcel of land containing 0.02 of an acre embraced in Tax Sale Certificate No. 1177 of July 6, 1914, described as that part of the South 45 feet of North 87 feet of East 315 feet of Lot 80, Florida Land & Improvement Company's Addition to Kissimmee, lying west of and within 53 feet of survey line of State Road S-525, Sec. 92550.

Upon motion unanimously adopted, the Trustees granted easement to the State Road Department as requested.

TAYLOR COUNTY: City of Perry offered \$80.00 for conveyance under Chapter 21684, Acts of 1943, without advertisement and public sale, of eight (8) lots formerly owned by the city, embraced in Tax Sale Certificate Part 1084 of 1933, and others, described as All of Block 38, S. H. Peacock Addition, in Section 24, Township 4 South, Range 7 East.

Upon motion unanimously adopted, the Trustees approved conveyance of the eight lots to the City of Perry as requested, for the amount offered.

Upon motion duly adopted, the Trustees adjourned.

ATTEST:

  
DIRECTOR - SECRETARY

  
GOVERNOR - CHAIRMAN

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Tallahassee, Florida  
August 9, 1960

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office, at the Capitol.

Present: LeRoy Collins  
Ray E. Green  
J. Edwin Larson

Governor  
Comptroller  
Treasurer

Van H. Ferguson

Director-Secretary

#### SALES

JACKSON AND GADSDEN COUNTIES: Oil Lease. Upon application by Humble Oil and Refining Company, the Trustees on June 28, 1960, authorized advertisement for oil and gas lease covering a portion of the submerged bottoms between original U. S. meanders of the Chattahoochee River and Apalachicola River in Township 3 North, Range 6 West, Township 4 North, Ranges 6 and 7 West, and Township 5 North, Range 7 West, approximately 505 acres in Jackson and Gadsden Counties. The lease was advertised for competitive sealed bids in the Gadsden County Times, the Marianna Advocate, and the Tallahassee Democrat, and proofs of publication were filed in the Land Office.

On this advertised sale date, bid of \$1,556.87 cash consideration, including first year's rental and net bonus bid of \$1,304.37, was received from the applicant. No other bid was received.

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Motion was made and unanimously adopted that the Trustees accept the bid from Humble Oil and Refining Company and authorize issuance of lease in usual form requiring royalty payments of one-eighth in kind or in value, plus fifty cents per acre annual rental increasing five percent of such original amount annually after the first two years, and shall be for a primary term of ten years.

PALM BEACH COUNTY: Lease, Pelican Bay Tract. On August 2, 1960, the Trustees rejected the parcel bids received by the Director on July 28 which aggregated \$516,800.00 for 16 parcels (total 1,100 acres) and authorized taking competitive bids for agricultural lease of 2,921 acres subject to 1-year cancellation clause on approximately 540 acres heretofore withdrawn, and 2-year cancellation clause on up to 500 acres of the remainder if required for a state institutional use, with minimum of \$20.00 per acre per year for the whole tract.

Information was that the Division of Corrections anticipated no need for any of the area for some 15 years, but it was suggested that if a tract was to be designated for possible cancellation for state use, it should be parcels numbered 27 to 33 inclusive in Sections 5 and 6, Township 43 South, Range 37 East, and in Section 1, Township 43 South, Range 36 East, aggregating 494 acres, more or less. The Trustees agreed that lease would contain provision for recapture from the leased area, at Trustees' option on two years notice, that area of approximately 500 acres described above, indicated as most likely to be required for state institutional use.

As to the area heretofore committed for which instruments had not been drawn up, being 55 acres for City of Pahokee, 75 acres for Palm Beach County airport extension, 195 acres for Palm Beach County airport industrial area, and 215 acres for public purposes of Belle Glade, the Board agreed that these areas would be included in the lease with one-year cancellation clause, and it was the unanimous opinion of the Board that when the local public agency showed need for a definite public purpose, there should be released only what was required at that time for the specified public use.

In addition to the above, the Board agreed that the following were considerations for leasing and for inclusion in the new lease:

- (1) that lease term would be 15 years, with base bid of \$20.00 for the bidding, and with deposit of earnest money in amount of \$1,000 required from high bidder;
- (2) that in case Richlands was not successful bidder, the high bidder could take immediate possession but that as agreed previously, pumps and other improvements classed removable by the Attorney General were subject to removal by Richlands, Inc., on or before October 26, 1960;
- (3) that rental would be payable semi-annually, in advance, with 30-day grace period provided, after which period state would have right of cancellation after simple notice;
- (4) that new lease should clearly set out that with normal legal interpretation of removable improvements, other improvements placed on the land would become part and parcel of the real estate and property of the Trustees;
- (5) that the lease should include appropriate provisions giving lessee right to construct, install and maintain works for reclamation or desirable for agricultural use;
- (6) reserving oil and mineral rights, and right of inspection;

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- (7) requiring formal approval of assignments and subleases;
- (8) requiring insurance of any buildings leased by Trustees;
- (9) prohibiting removal of soil, sod or other materials, and covenants against damage to premises;
- (10) providing for maintenance of canals and drainage facilities;
- (11) making the zone within 2,000 feet of Vortax facility on the airport subject to restrictions against installations over six feet high and against metal fencing and installations;
- (12) containing assurance concerning Canal "A" and pumping site, on the 75 acres committed to the County for airport extension, uniform with the condition imposed on the County in the minutes of March 29, 1960;
- (13) providing that dispute arising out of any of these provisions shall be settled through arbitration.

Upon competitive bidding conducted by the Director, high bid of \$37.00 per acre per year was made by Robert D. Apelgren and Edgar Wilder, and cashier's check for \$5,000.00 was tendered as earnest money, to be credited on advance rental.

Upon motion duly adopted, the Trustees accepted the high bid of Messrs. Apelgren and Wilder and authorized issuance of lease covering the 2,921 acres, to be prepared by the Attorney General, and to take into consideration those items agreed upon and suggested heretofore in these minutes.

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FRANKLIN COUNTY: File No. 543-19-253.12. On June 21 the Trustees considered application from First State Mortgage Company, represented by David Caskin and William J. Ryan, with offer of adjusted price of \$20.00 per acre for 100.1 acres of submerged land in St. George Sound in Sections 12 and 13, Township 7 South, Range 4 West, Franklin County, adjacent to applicant's upland at Lanark Village and extending a maximum of 1,700 feet offshore within the approved bulkhead line. The tract was advertised for objections only in The Apalachicola Times, proof of publication filed with the Trustees, and no protests to sale were received.

On June 21 the Trustees had indicated that in event of sale the applicant would be expected to provide suitable area committed and maintained for public beach and recreation purposes as well as assurance as to completion time for the development project. The Director stated that applicants were not present, and had not forwarded any plan for public area or development completion, and that in his opinion the application was excessive and progress of developments in the area did not justify filling to water depths of four feet.

Upon motion by Mr. Green, duly adopted, the Trustees deferred action and directed that the applicants be advised that any further consideration was contingent on their presentation of acceptable plans for commitment of public area and assurance as to development completion time, within 30 days.

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HILLSBOROUGH COUNTY: File No. 672-29-253.12. On June 28 the Trustees considered application by Tampa Electric Company, abutting upland owner represented by Macfarlane, Ferguson, Allison and Kelly, with offer of \$100.00 per acre, the appraised price, for submerged land in Tampa Bay in Sections 9 and 10 of Township 31 South, Range 19 West, containing 268.46 acres, more or less. The tract was advertised in the Tampa Tribune, proof of publication filed with the Trustees, and no protests to the sale were received.

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The Trustees examined the map and aerial photo and expressed concern as to the extension out from shore. John Allison explained that the area was for industrial expansion on the fringe of an agricultural zone, that applicant anticipated need for additional power plant facilities in the near future, and that there were no objections at the local bulkhead hearing or to the proposed sale.

Upon motion by Mr. Larson, duly adopted, the Trustees confirmed sale to Tampa Electric Company at the appraised price.

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MONROE COUNTY: File No. 655-44-253.12. On June 21 the Trustees considered and authorized advertisement on application by Samuel D. Fire, abutting upland owner, who offered current appraised price of \$200.00 per acre for two parcels of submerged land in Big Pine Key, Parcel No. 1 in the Straits of Florida in Section 1, Township 67 South, Range 29 East, comprising 42.0 acres, and No. 2 in Cupon Bight in Section 1, Township 67 South, Range 29 East, comprising 10.0 acres. The parcels were advertised in the Key West Citizen, and proof of publication was filed with the Trustees.

Protest to sale of a portion of the area was filed by John G. McKay, Trustee for El Radabob Liquidation Trust, and the Director recommended deferment pending working out a layout allocating riparian rights within Cupon Bight.

Upon motion duly adopted, the Trustees deferred action on proposed sale as recommended by the Director.

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MONROE COUNTY: File No. 683-44-253.12. On June 28 the Trustees considered application from Lucien G. Ragsdale, abutting upland owner represented by E. R. McCarthy, with offer of the established price of \$300.00 per acre for a parcel of submerged land in the Straits of Florida located southerly of and adjacent to part of Government Lot 1 in Section 7, Township 65 South, Range 35 East, Long Key, containing 1.12 acres, more or less. The parcel was advertised in the Coral Tribune, proof of publication filed with the Trustees, and no protests to the sale were received.

Upon motion duly adopted, the Trustees confirmed sale to the applicant at the established price.

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MONROE COUNTY: File No. 684-44-253.12. On July 5 the Trustees considered application by John M. Denison, abutting upland owner represented by C. G. Bailey, with offer of the established price of \$300.00 per acre for 6.0 acres of submerged land in the Bay of Florida in Sections 25 and 26, Township 65 South, Range 33 East, Grassy Key, lying northerly of and adjacent to Lots 1 and 2 of Block 59 of Crain's Subdivision. The parcel was advertised in the Key West Citizen, and proof of publication was filed with the Trustees.

Objection received from Raymond R. Letham was taken care of, in the staff's judgment, by the applicant voluntarily cutting back the area to 2.7 acres, and confirmation of sale of the small parcel was recommended. It was explained that objector was out of the country and only vague reason for objection was given.

Upon motion duly adopted, the Trustees confirmed sale but directed Mr. Ferguson to contact the objector's agent and ask for immediate clarification of the objection.

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PINELLAS COUNTY: File No. 669-52-253.12. Claudia R. Lowe, abutting upland owner represented by William S. Wightman, offered the appraised price of \$500.00 per acre for a parcel of submerged land in the Narrows in Section 19, Township 30 South, Range 15 East, and Section 24, Township 30 South, Range 14 East, containing 2.02 acres, more or less, within the established bulkhead line of the Town of Indian Rocks Beach South Shore. There were filed in the Trustees' Office certified copy of approval of application by Pinellas County Water and Navigation Control Authority, and proof of publication of notice of sale.

Upon motion by Mr. Larson, seconded and adopted, the Trustees confirmed sale to the applicant at the appraised price.

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PINELLAS COUNTY: The Director recommended confirmation of sale to George Marsic and wife, abutting owners (by Trustees' deed containing erroneous description), of a tract of submerged land in Boca Ciega Bay in Section 30, Township 32 South, Range 16 East, containing 4.80 acres, more or less, lying east, north and west of the northerly one acre of Panama Key, at the 1956 value of \$100.00 per acre, in accordance with action by the Trustees on April 5, 1960. The parcel was advertised for objections only in The St. Petersburg Times, proof of publication filed with the Trustees, and no protest to the sale was received.

In connection with the transaction, applicant was required to reconvey to Trustees certain lands heretofore conveyed by erroneous survey, using exact description.

Upon motion duly adopted, the Trustees approved confirmation of the sale, subject to carrying out the previous agreement whereby applicant will reconvey to the Trustees by exactly the same description as in original deed in exchange for deed to the same area with correct legal description.

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VOLUSIA COUNTY: File No. 692-64-253.12. On June 28 the Trustees considered offer of appraised price of \$300.00 per acre from Anson B. Cutler, abutting owner, for a parcel of submerged land in the Halifax River in Section 3, Township 16 South, Range 33 East, City of Port Orange, containing 0.09 of an acre, more or less. The parcel was advertised in Daytona Beach Evening News, proof of publication filed in the Trustees' Office, and no protests to sale were received.

Upon motion by Mr. Larson, duly adopted, the Trustees confirmed sale of the advertised parcel to Mr. Cutler at the minimum price of \$100.00.

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#### APPLICATIONS TO PURCHASE

MANATEE COUNTY: File No. 653-41-253.12. Presented for reconsideration was application by Manatee Development Company for a parcel of submerged land in Palma Sola Bay riparian to Government Lots 3 and 4 of Section 1, Township 35 South, Range 16 East, within the established bulkhead line, for which price adjustment was deferred on July 26 for checking by the Director of recent sales and appraisals, since the Trustees' appraiser reported a value of \$560.00 per acre and applicant submitted offer of \$250.00 based on its appraisal.

Mr. Ferguson discussed former sales, advised that since the two appraisals represented the considered judgment of two competent appraisers, the applicant had secured a third appraisal, and he recommended that the Board favorably consider \$400.00 per acre as a middle of the ground adjustment of sale price, which the applicant agreed to pay.

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It was pointed out that sale would be for the entire area within the bulkhead line, and that planned waterways in the development should be dedicated for public use.

Upon motion duly adopted, the Trustees authorized advertisement of the parcel for objections only, based on \$400.00 per acre adjusted price.

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ORANGE COUNTY: File No. 410-48-253.36. Glenn Henson, riparian upland owner represented by Rogers and Kelley, offered the current appraised price of \$40.00 per acre for a parcel of reclaimed lake bottom land in Lake Hart in Sections 15, 22, 23 of Township 24 South, Range 31 East, comprising 37.2 acres lying between the original high water mark and the 60.0 foot contour fixed by the Central and Southern Florida Flood Control District by Resolution No. 392 dated July 10, 1959, beyond which contour no conveyance was recommended.

Upon motion duly adopted, the Trustees approved conveyance of the reclaimed area to the upland owner without advertisement pursuant to Trustees' policy, at the appraised price.

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PALM BEACH COUNTY: File No. 691-50-253.12. James C. McCurrach, abutting upland owner represented by Norman C. Schmid, offered \$3,480.00, appraised price for the parcel, for submerged land in Lake Worth in Section 26, Township 44 South, Range 43 East, comprising 2.60 acres landward of the bulkhead line established for the Town of Palm Beach.

Upon motion by Mr. Larson, duly adopted, the Trustees authorized advertisement for objections only, based on the applicant's offer.

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#### MISCELLANEOUS

SAW GRASS LEASE: The Director recommended cancellation of Saw Grass Lease No. 746 issued August 4, 1950, to Carl L. Sackett for removal of saw grass for commercial purposes from "certain state owned lands to be designated as hereinafter provided". Lease provided for rentals of fifty cents per acre to begin at end of four years for thirty additional years with additional rental for ten year periods beginning at end of thirty-fourth year. Extensions of the rent-free term were granted in 1954 and in 1956, for period ending August 4, 1960, and notice to the lessee by registered mail was returned. Mr. Ferguson stated that in event the enterprise was granted further lease, he recommended negotiation of new lease with defined areas and new terms.

Upon motion by Mr. Green, duly adopted, the Trustees ordered cancellation of the lease under its own terms.

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BROWARD COUNTY: Upon motion by Mr. Larson, duly adopted, the Trustees authorized issuance, at no charge, of corrective deeds showing reference to plat book and page of Broward County public records, the page numbers having been omitted inadvertently in Trustees Deeds Nos. 20279 issued February 4, 1933, 20279-Supplemental issued October 22, 1957, and 20279-A issued August 6, 1957.

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BROWARD COUNTY: On December 15, 1959, attention was directed to City of Pompano Beach Resolution No. 1834 adopted December 9, 1959 that the Trustees investigate an alleged violation involving a groin and unauthorized modification by Ernest C. Cassil, owner of Sea Castle Apartments. The Trustees authorized the Attorney General



to proceed with legal action if necessary - if the owner did not comply with recommendation of the Coastal Engineering Laboratory, but action was not brought since the applicant subsequently completed permit application. However, he did not execute the permit forwarded to his engineer December 30, 1959, which contained and required compliance with the Laboratory's report dated December 23, 1959, and which was reported to be in his attorney's hands now.

The City developed an erosion project providing for placement of material in the vicinity of the groin offering possibility of overcoming the adverse effect of the groin, certain litigation arising out of damage charged to the groin was reported pending in District Court of Appeal, and request was made by Watson, Hubert and Sousley, attorneys for the adjacent owner to the north of the Sea Castle property, that legal action be brought since Mr. Cassil had continued to build up the groin and add concrete. Such addition to the structure was pointed out by the Laboratory as objectionable.

Inasmuch as the modification recommended by the Laboratory included reduction of the structure which appeared to have been enlarged instead, the Trustees referred the matter to the Attorney General with request that he proceed with legal action in the event he finds such action to be in the public interest and authorized under law.

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DADE COUNTY: Board of County Commissioners of Dade County by Resolution No. 4489 adopted January 26, 1960, requested grant of Long Arsenicker Key in Section 13, Township 58 South, Range 40 East, East Arsenicker Key in Sections 13 and 24, Township 58 South, Range 40 East, and Government Lots 1 and 2 in Section 23, Township 58 South, Range 40 East, to the county for park, recreational purposes, access route to the lower keys in Biscayne Bank and other public improvements.

The Director advised that a number of campsite leases were outstanding on the two keys, and that the two government lots aggregated 48 acres of wild lands fronting Biscayne Bay. He recommended dedication for public purposes only, including parks, recreational areas, roads and other public improvements, under supervision and control of the Board of County Commissioners, effective immediately as to the two government lots and areas not encumbered by leases in the two keys, and to become effective as to the leased areas as the leases expire or are surrendered.

Upon motion unanimously adopted, the Trustees approved as the action of the Board the recommendation of the Director for dedication of the areas to the county for the requested public uses.

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INDIAN RIVER COUNTY: City of Vero Beach tendered \$100.00 for State Permit to construct marina or dock with boat slips in Indian River in front of city upland Lots 8, 9, 10 and 11, Block 1, Veromar Subdivision, for the Vero Beach Yacht Club. Owner of adjacent uplands filed waiver of objection.

Upon motion by Mr. Larson, duly adopted, the Trustees approved issuance of State Permit for \$100.00.

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LEE COUNTY: Walter O. Pearson, Harbormaster, on behalf of Gulf Guaranty Land and Title Company, and Cape Coral Yacht and Racquet Club, requested modification of State Permit PD-3 which designated a pier as "public", so that the structure would be designated as a Club Fishing Pier for the yacht club. Also, request was made to place coral rock on the water bottoms below 6 feet, along and under the pier, in a manner approved by the Board of Conservation.

Upon motion duly adopted, the Trustees approved modification of the pier permit from a public pier to a club pier, and approved the requested placement of rock subject to clearance with the U. S. Engineers.

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PALM BEACH COUNTY: East Coast Finance Company, by Brockway, Weber and Brockway, applied for deed under provisions of Section 253.0013 (2) to an area in Section 21, Township 42 South, Range 43 East, Town of Lake Park, containing 7.6 acres filled under U. S. Permit 800.61 (57-67) granted May 28, 1957 to an area between mean high water mark of upland and the bulkhead line established in 1925.

Upon motion duly adopted, the Trustees approved issuance of deed as requested, for \$10.00 charge.

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PALM BEACH COUNTY: Files 144 and 649-50-253.124. Upon motion duly adopted, the Trustees formally approved the fill permit to Edna Duncan issued by the City of West Palm Beach for filling submerged lands conveyed by Trustees under the referenced deed files, the parcels conveyed comprising 1.309 acres and 0.403 acres, respectively.

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PINELLAS COUNTY: Upon motion duly adopted, the Trustees approved dedication for highway purposes to the State Road Department of submerged lands in Smacks Bayou and/or Placido Bayou in Section 5, Township 31 South, Range 17 East, comprising 0.63 acre lying within the bayward extensions of the present rights of way.

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PINELLAS COUNTY: The Trustees reviewed their action on August 2 concerning confirmation of sale to Tierra Verde Corporation of 16 parcels of submerged land, 31.95 acres, acceptance of conveyance of 17 parcels to the Trustees for public waterways, and delivery of the deed, a part of the consideration for which was agreement of the applicant for arbitration in event an acceptable agreement was not worked out between Tierra Verde and Walter Collany whereby access would be provided between Island No. 9 (Collany property) and a public road or street in Tierra Verde connecting to the Bayway.

Mr. Green stated that the minutes of August 2 correctly recorded the action of the Board, and explained that the Attorney General, at the close of the meeting, had made some additional remarks clarifying his action. It was agreed by members present that the intention of the Trustees was not to withhold delivery of the deed to 31.95 acres until right of way was granted to Mr. Collany by Tierra Verde, that agreement to submit to arbitration would not have been a requirement if delivery of the deed had been conditioned upon grant of right of way, and that instead, agreement to arbitrate if such became necessary was the condition to confirmation of the sale and that Bradley M. Waldron, for Tierra Verde, and Wilbur C. Stone, for Mr. Collany, did agree to arbitrate.

Governor Collins explained that the only thing to be required before issuance of the deed was agreement to arbitrate as the minutes show, and the Director was requested to notify both parties that this agreement should be formalized in writing and filed with the Trustees.

It was so ordered.

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SARASOTA COUNTY: Upon motion duly adopted, the Trustees authorized issuance of State Permit to Stephen L. Morrow, Richard E. Merrifield, Lucian P. Smith and Ottie E. Gaddy, jointly, for installation of five groins extending from their upland in Section 13, Township 39 South, Range 18 East, into the Gulf of Mexico, with requirement of \$2,000.00 bond, all in accordance with recommendations of Coastal Engineering Laboratory.

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SARASOTA COUNTY: William Budd, on behalf of Byron P. George, applied for State Permit to construct one groin and extend three existing groins in front of upland in Section 11, Township 37 South, Range 17 East, at Sarasota Point.

The proposed project was not recommended by the Coastal Engineering Laboratory, which reported that sand motion at the location continually changed and a serious erosion problem existed to the northeast where ebb current was undermining the eastern channel bank and caused collapse of seawall and threat to other properties, and that such material as was replaced was from a northward littoral drift apparently due to refraction of waves around Sarasota Point. The Laboratory advised that the proposed installations would interfere with drift and replacement of sand in the critical area, resulting in acceleration of erosion.

Upon motion duly adopted, the Trustees denied the application and directed Mr. Ferguson to ask applicant to prepare and submit another plan that would not damage the area, to overcome the objections from the Coastal Engineering Laboratory.

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ST. LUCIE COUNTY: Request was presented from Fort Pierce Port and Terminal Company to be relieved from its obligation to maintain surety bond of \$50,000 as required in Agreement No. 21592 dated September 24, 1957, concerning 64.4 acres of sovereignty land appraised \$2,060.00 per acre which the Trustees conveyed to the firm for \$50.00 per acre in recognition of the intended port and terminal development, conditioned upon completion of Phase 1 of the project within three years.

The agreement provided that if, after three full years from that date, Phase 1 of port development plan had not been completed, the proceeds of the bond should be retained by the Trustees as additional consideration for sale of the submerged lands, whereupon the Trustees would execute and deliver to the company or its successors or assigns a quitclaim deed releasing the restrictive covenant.

A one-year time extension for completion of Phase 1 was granted February 2, 1960. Phase 1 required completion of two piers, but the firm advised that it had completed 250 feet of one 700-foot pier only.

The Director stated that since waiver of the bond requirement would appear to defeat the intent of the agreement, such release was not recommended.

It was recalled that the Trustees felt some concern about the deal at the time, but entered into the agreement to assist development of port facilities for the area.

Upon motion by Mr. Larson, seconded by Mr. Green and adopted, the Trustees denied request from Fort Pierce Port and Terminal Company to be relieved of its bond obligation.

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CAPITOL CENTER: Reported as information for the Minutes was joint action by the Commissioners of State Institutions and the Trustees of the Internal Improvement Fund approving the purchase, at a price of \$15,000.00, of the S.L. Howard property at 111 East Gaines Street, described as the East 50 feet of Lot 144, Old Plan of Tallahassee. It was so ordered.



SUBJECTS UNDER CHAPTER 18296

Upon motion by Mr. Larson, seconded and adopted, the Trustees approved Report No. 761 listing 274 bids for sale of Murphy Act lands, and approved issuance of County of Hillsborough Deed No. 461-Duplicate to General Lumber & Supply Co., to replace orig'nal deed lost prior to recording.

MONROE COUNTY: On May 17 the Trustees rescinded withdrawal order and released one-half (about 323) of the state-owned Rainbow Beach Subdivision lots in the northerly part of the subdivision, authorizing the Clerk of the Circuit Court to hold sale under regular Murphy Act procedure with base bid of \$100.00 per lot. It was reported as information that the Clerk sold 273 of the lots on July 5 for a total of \$27,421.00, and that report had not been received from the Clerk as to the 50 lots sold on August 8.

The Trustees expressed approval, and decided that the remaining Rainbow Beach lots should be withheld from sale until further consideration.

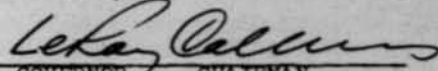
It was so ordered.

WASHINGTON COUNTY: The Vernon Land and Timber Company offered \$50.00 for conveyance under Chapter 28317, Acts of 1953, of one acre square parcel in the SW corner of NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 34, Township 2 North, Range 15 West, in Washington County.

Since there appeared to be no elements of hardship to warrant deed without advertisement and public sale, the Director recommended the denial of application under the so-called Hardship Act, and sale under regular provisions of Chapter 18296 with starting base bid of \$50.00, plus costs.

Upon motion duly adopted, the Trustees declined to accept application under the Hardship Act.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
August 16, 1960

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office, in the Capitol.

Present:	LeRoy Collins	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Lee Thompson	Commissioner of Agriculture

Van H. Ferguson

Director-Secretary

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Upon motion, duly adopted, the Trustees approved the minutes of the meeting on August 9, 1960.

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#### APPLICATIONS TO PURCHASE LAND

MONROE COUNTY: File No. 720-44-253.12. Clifford E. Smiley, abutting upland owner represented by G. A. Crawshaw, offered the established price of \$425.00 per acre for a parcel of submerged land in the Straits of Florida in Section 23, Township 63 South, Range 37 East, containing 2.05 acres at Windley Key.

Upon motion, duly adopted, the Trustees authorized the parcel to be advertised for objections only.

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MONROE COUNTY: File No. 722-44-253.12. Catherine F. Koch, abutting upland owner represented by E. R. McCarthy, offered the established price of \$300.00 per acre for a parcel of submerged land in the Straits of Florida in Sections 18 and 19, Township 63 South, Range 38 East, containing 2.42 acres at Plantation Key.

The map was examined, and it was agreed that a cutback and reshaping should be required to remove objectionable features of the proposed extension.

Upon motion, seconded and adopted, the Trustees authorized advertisement for objections only, subject to agreement of the applicant to revision in accordance with suggestion of the Trustees.

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OKEECHOBEE COUNTY: File No. 718-47-253.36. W. D. Coker, the riparian upland owner, represented by Tom W. Conely, Jr., offered the appraised price of \$175.00 per acre for a parcel of reclaimed lake bottom land in Lake Okeechobee in Section 35, Township 37 South, Range 35 East, containing 6.2 acres, more or less.

Governor Collins suggested that in cases involving reclaimed lands around Lake Okeechobee, the Central and Southern Florida Flood Control District should be asked for recommendation.

Upon motion duly adopted, the Trustees authorized conveyance at the appraised price without advertising, following the policy for sale of permanently reclaimed lake bottoms to upland owners, subject to approval by the Central and Southern Florida Flood Control District.

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#### LEASES

STATE DRILLING LEASE NO. 224-B: The California Company, under joint operating agreement with Coastal Petroleum Company, obtained permit to drill an offshore well N 88°20'20" W, 23,285.52 feet from U. S. Coast & Geodetic Survey Station "Spanish" on La Costa Key, Lee County, applicable to the third five-year drilling period defined in State Drilling Lease No. 224-B(Modified) held by Coastal Petroleum Company.

The Director recommended that the drilling of the offshore well to the required depth and within the period prescribed by said lease, at the designated location on the leased area, be recognized as fulfilling the drilling obligation for a well under said lease. He advised the Trustees that the company had requested a letter so stating.

Upon motion duly adopted, the Trustees accepted the recommendation of the Director as the action of the Board, and authorized the letter requested by the company, subject to review by the Attorney General's office.

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STATE DRILLING LEASE NO. 833: On June 7, 1960, the Trustees agreed to the location of a proposed well on upland of Okaloosa Island Authority to be drilled to 6,000 feet by Commonwealth Oil Company within ninety days from the date of decision in the Tidelands Case, May 21, 1960, the well to be pooled with the leased sovereignty land.

The Commonwealth firm indicated that the well on upland contemplated on June 7 was not now planned for drilling, but instead, it was planned to drill within the leased area to a depth greater than 6,000 feet provided extension of time beyond August 29, 1960, could be allowed for procurement of required geological data, permit approvals and suitable equipment for offshore drilling. The location for proposed well, not yet designated, would be within the leased area of submerged land, and the firm had encountered difficulty in getting offshore drilling equipment.

J. L. McCord, representing Commonwealth Oil Company, was present with E. F. Gathright of Jett Drilling Company, Inc., from which company equipment for the offshore drilling operation would be obtained. Mr. McCord asked for sixty day extension of time, and said that during that time the necessary permits would be procured from U. S. Engineers and Navy, municipal and county authorities, and from the State Geological Department of the Board of Conservation.

Upon motion by Treasurer Larson, seconded by Attorney General Ervin, the Trustees approved sixty-day extension of time for commencement of drilling of the offshore well within the leased area to a depth greater than 6,000 feet, and the Board referred to the Attorney General the preparation of any necessary instruments.

#### BULKHEAD LINES

DADE COUNTY: On behalf of Dade County, W. Turner Wallis, consulting engineer, and R. R. Walters of the county planning department, requested early acceptance by the Trustees of the remaining county bulkhead lines, so that the entire 72-sheet atlas of the official county bulkhead maps could be recorded in public records of Dade County. By reference to maps showing the bulkhead lines which had been approved, Mr. Wallis pointed out location of the map sheets remaining, being Sheets 1, 10, 14, 15, 17, 18, 23, 24, 25, 26, 27, 28, 29, 31 and 32, for areas of Miami Beach, Biscayne Key, Virginia Key, and Atlantic Ocean waterfront, and stated that lines along Miami Beach had been approved by that city to assist against encroachment on the beach, that the county desired the bulkhead lines to establish limits of fill irrespective of ownership.

The Director stated that the Coastal Engineering Laboratory had withheld favorable recommendation in several of these areas, that it had been the policy of the Board that no bulkhead lines should be set along mainland with ocean frontage as no extensions were anticipated into the Atlantic Ocean, that the staff had felt that bulkhead lines would not be desired for portions owned by the city and county; however, the Director offered no objection to approval of the lines in the discretion of the Trustees.

Attorney General Ervin said that while he recognized the Director's reasons, he thought that since the whole tenor of the bulkhead act was to establish complete lines, that the county had confirmed lines the city had adopted, that along the beaches the lines would not be offshore, that the county desired to designate areas in the bay which might be subject to development, and therefore, at the request of the county, the Trustees should approve the remaining lines.

Mr. Ervin and Mr. Walters also discussed proposed plans of the county to reserve areas for highways and other public uses for the over-all development of Dade County, and it was stated that the Trustees were awaiting recommendation from the county in accordance with the resolution in the minutes of March 22, 1960.

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Upon motion by Treasurer Larson, adopted without objection, the Trustees, acting on the recommendation of the Attorney General and at the specific request of the county, formally approved the remaining bulkhead lines adopted by Dade County, as follows: Official Dade County Bulkhead Map Sheets 1, 10, 14, 15, 17, 18, 23, 24, 25, 26, 27, 28, 29, 31, 32 and 30-B, the latter being listed to clear up discrepancy in sheet number only of that sheet formerly approved as Sheet No. 30.

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#### MISCELLANEOUS

DADE COUNTY: Robert P. Powell, representing Heavy Constructors, Inc., engaged in construction of a State Road Department project at McArthur Causeway, applied for approximately 25,000 cubic yards of material from a dredging area he indicated on a map, for completion of the contract. He explained that U. S. Engineers permit was granted subject to approval by the Trustees, that under the contract with the Road Department the contractor was required to furnish the material, and that sufficient material in another designated dredging area was not available.

Upon motion duly adopted, the Trustees approved sale of the material at the standard yardage rate, total \$1,050.00, subject to approval of the area by the staff, the State Road Department, and the U. S. Engineers.

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HIGHLANDS COUNTY: Fred W. Fenn applied for permission to remove 400 cubic yards of material from bottoms of Lake Lotels for deposit on his upland property to improve his beach, in Section 26, Township 33 South, Range 28 East. The Game and Fresh Water Fish Commission approved dredging in the lake.

Upon motion duly adopted, the Trustees authorized permit to Mr. Fenn for removal of the desired amount of material from the lake bottom in front of his upland, for the \$25.00 minimum charge.

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HIGHLANDS COUNTY: Mildred R. Hearon applied for permission to remove 450 cubic yards of material from bottoms of Red Beach Lake to improve her upland subdivision lot near DeSoto City, Florida.

Upon motion duly adopted, the Trustees authorized permit to the applicant for removal of the desired amount of material from the lake bottom in front of her upland, for the \$25.00 minimum charge, subject to approval of the State Game and Fresh Water Fish Commission.

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PALM BEACH COUNTY: Upon motion duly adopted, the Trustees authorized perpetual easement to Florida Inland Navigation District covering additional right of way for the Intra-coastal Waterway in Section 31, Township 40 South, Range 43 East, and Section 6, Township 41 South, Range 43 East, in the Jupiter River in Palm Beach County.

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PINELLAS COUNTY: Upon motion duly adopted, the Trustees formally approved fill permit No. DF105 issued to William F. Carver and wife by Pinellas County Water and Navigation Control Authority on July 22, 1960, for dredging and filling an area in the Anclote River, at Tarpon Springs, Florida, previously conveyed by Trustees in Deed No. 22374.

SEMINOLE COUNTY: George A. Speer, Jr., attorney of Sanford, Florida, representing the Slavia Drainage District, upon recommendation of the land owners present at meeting of the district on August 2, 1960, requested the Trustees, as the Board of Drainage Commissioners of the State under provisions of Section 298.12 Florida Statutes, to appoint M. L. Gary to succeed himself as Supervisor for a term of three years from expiration date of his preceding term. Pursuant to advertised call for the district land owners' meeting for the purpose of electing a supervisor, there had been present less than a quorum of land owners and less than a majority of acreage in the district, and no legal election could be had.

Upon motion duly adopted, the Trustees accepted the recommendation from land owners of the district and appointed Mr. Gary Supervisor of Slavia Drainage District for a three year term beginning July 16, 1960.

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CAPITOL BUILDING; CAPITOL CENTER PROPERTY: With reference to office space for the press and television representatives, Comptroller Green requested authorization by the Trustees to have architect prepare working drawings and specifications and to proceed to secure bids. The plan layout was approved by committee of Trustees and all parties concerned.

With reference to the capitol center property on Monroe Street referred to as the Rose Property, Mr. Green requested authorization by the Trustees for the Construction Division to proceed with plans for demolition of the building, and to secure the services of architect to develop plans for use of the property.

Without objection, authorization was given to have the work done as requested by the Comptroller.

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SUBJECTS UNDER CHAPTER 18296

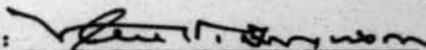
Upon motion, seconded and adopted, the Trustees approved Report No. 762 listing three bids for sale of lands under the Murphy Act, and also approved issuance of County of Duval Deed No. 2366-Corrective to Alma Jane Sittler, to correct name of grantee in original Deed No. 2366 dated October 3, 1944.

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Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:

  
DIRECTOR - SECRETARY

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8-16-60

Tallahassee, Florida  
August 23, 1960

The Trustees of the Internal Improvement Fund met on this date in the Governor's Office, in the Capitol.

Present:	LeRoy Collins	Governor
	Ray E. Green	Comptroller
	Richard V. Ervin	Attorney General
	Lee Thompson	Commissioner of Agriculture

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Van H. Ferguson

Director-Secretary

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Upon motion duly adopted, the Trustees approved the minutes of the meetings on August 2 and 16, 1960.

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APPLICATIONS TO PURCHASE LAND

DADE COUNTY: File No. 714-13-253.12. Marshall C. Wiseheart, Trustee, abutting upland owner, represented by Malcolm B. Wiseheart, offered the appraised price of \$228.00 per acre for a tract of submerged land in Sections 2 and 11, Township 56 South, Range 40 East, 105 acres, more or less, within the established bulkhead line.

The Trustees examined the map and were advised that the area was marsh and mangrove, with no access to road, power line or other improvements.

Upon motion duly adopted, the Trustees authorized advertisement for objections only, and directed Mr. Ferguson to contact the County and the State Road Department as to any foreseeable need in that zone for rights of way.

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MONROE COUNTY: File No. 646-44-253.12. Charles Heil, abutting upland owner represented by C. G. Bailey, made application to purchase three parcels aggregating 19.9 acres, more or less, of submerged land in Refuge Bay in Section 19, Township 66 South, Range 30 East, No Name Key. Parcels 1 and 2, comprising 7.5 acres, were appraised at \$200.00 per acre, and the 12.4 acres in Parcel 3 at \$300.00 per acre.

Upon motion duly adopted, the Trustees authorized advertisement of the submerged land for objections only.

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MONROE COUNTY: File No. 710-44-253.12. Robert Marks, represented by Senator Wm. R. Neblett, offered \$250.00 per acre for purchase of a parcel of submerged land in Cow Key Channel adjacent to the Island of Key West in Township 67 South, Range 25 East, 3.82 acres.

The Director indicated the parcel on the map, and recommended denial for the reason that the parcel abutted Roosevelt Boulevard which was along the area of Salt Ponds, the applicant appearing to own a very small frontage disproportionate to the area sought.

Upon motion by Attorney General Ervin, seconded and adopted, the application was denied as not meeting the conditions for conveyance to riparian upland owners of submerged land in the direction of the channel.

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MONROE COUNTY: File No. 723-44-253.12. Thomas R. Cadenhead, Jr., abutting upland owner represented by G. A. Crawshaw, offered the

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established price of \$350.00 per acre for a parcel of submerged land in the Straits of Florida in Section 6, Township 62 South, Range 39 East, Key Largo, containing 0.72 of an acre.

Upon motion duly adopted, the Trustees authorized advertisement of the parcel for objections only.

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PALM BEACH COUNTY: File No. 725-50-253.12. Murry and Gernon, Inc., abutting upland owner, represented by John Adair, Jr. & Associates, offered \$1,500.00 per acre, slightly more than the appraised price for that area, for a parcel of submerged land in Lake Worth in Section 26, Township 44 South, Range 43 East, in the City of Palm Beach within the established bulkhead line.

Upon motion duly adopted, the Trustees authorized advertisement of the parcel for objections only.

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ST. JOHNS COUNTY: Builders Service Company, adjacent owner, offered the appraised price of \$200.00 for a parcel of unsurveyed marsh in Sections 7 and 18, Township 7 South, Range 30 East, situate between applicant's upland and the Florida East Coast Railway right of way. The marsh was patented to the State as Swamp and Overflow land in 1882. Under Chapter 6769, Special Acts of 1913, the Legislature made 1000-year grant of the marsh to the City of St. Augustine for commerce, navigation and municipal docks and terminals with requirement of use within 25 years; however, the area, entirely unimproved, was quitclaimed to the applicant on May 23, 1960, by the City of St. Augustine.

Section 253.381, Florida Statutes, authorized the Trustees and the Board of Education to make allocations and sales of unsurveyed marsh "with due respect to upland ownership and natural divisions ... which are indicated by the general courses of water channels within or across the unsurveyed marshes and to other topographical features ..." The railroad bed was the only existing topographical feature, other than applicant's upland.

The Director advised that this would be the first conveyance under a 1959 law, and he recommended approval for sale to applicant at appraised price subject to (1) satisfactory evidence that the vacated street in applicant's upland was never opened and used as a public street; (2) that 10-day notice be issued to the railway company; and (3) that a certificate by a licensed title company be furnished.

Upon motion by Mr. Green, seconded by Mr. Ervin and adopted, the Trustees approved the recommendations of the Director as the action of the Board.

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PALM BEACH COUNTY: Bulkhead Line and Application. File No. 640-50-253.12. The Director recommended formal approval of the bulkhead line established by the City of Boca Raton by Ordinance No. 557 dated June 28, 1960, for a portion of the easterly shore of Lake Wyman in Section 16, Township 47 South, Range 43 East, being a segment of the bulkhead line planned by the city for Lake Wyman.

Also, Vincent H. Palisano, et al, abutting upland owners represented by Brookway, Weber & Brookway, offered \$400.00 for a parcel (at the appraised price of \$3,500.00 per acre) of submerged land in Lake Wyman in Section 16, Township 47 South, Range 43 East, containing 0.114 of an acre within the above mentioned bulkhead line.

Upon motion duly adopted, the Trustees formally approved the bulkhead line established by City of Boca Raton Ordinance No. 557 dated June 28, 1960, and authorized advertisement for objections only of the parcel applied for by the upland owners.

8-23-60

## BULKHEAD LINE

PINELLAS COUNTY: Presented to the Trustees for formal approval was a bulkhead line established on June 23, 1960 by Pinellas County Water and Navigation Control Authority for an area in Old Tampa Bay at Oldsmar in Section 23, Township 28 South, Range 16 East. The bulkhead line was recommended by the City of Oldsmar, and certified copy of action of Pinellas Authority stated that there were no objections at the local hearing. However, upon examination of the map submitted, the Trustees raised questions regarding the shape of the segment of bulkhead line and its abrupt end offshore.

Also presented for approval was Fill Permit No. BDF103 issued to Victor Sellers by Pinellas County Water and Navigation Control Authority on July 25, 1960, to fill lands previously conveyed by Trustees in Deed Nos. 19828 and 19828-A, landward of the bulkhead line set by the Authority on June 23rd.

Upon motion by Mr. Green, seconded by Mr. Ervin, and adopted, the Trustees deferred action for further study on the bulkhead line and proposed fill and requested the Director to obtain additional information from the County.

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## LEASES

DADE COUNTY: On July 8, 1959, the Trustees granted 5-year camp-site lease on Long Arsenicker Key to Joseph I. Davis, who paid \$50.00 rental for the year ending July 7, 1961. Upon being advised of the action of the Trustees on August 9, 1960, dedicating Long Arsenicker Key to Dade County for public purposes to become effective as current leases expire or were surrendered, Mr. Davis explained that since he could not carry out planned improvements, he requested cancellation of his lease and refund of the rental paid in advance.

Upon motion by Mr. Green, seconded and adopted, the Trustees authorized refund and cancellation of Lease No. 1260 to Mr. Davis, and directed that Dade County be advised that the dedication was effective as to the specific parcel on Long Arsenicker Key which had been covered by the lease.

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GLADES COUNTY: Fisher W. Ange made application for five-year renewal from expiration date of April 25, 1960, of his Grazing Lease No. 986 covering 44 acres of reclaimed Lake Okeechobee bottom land in Section 16, Township 42 South, Range 33 East. The Director suggested new five-year lease with 90-day cancellation clause and rental of \$1.00 per acre per year.

Upon suggestion of Governor Collins, the Trustees authorized new five-year lease subject to applicant agreeing to rental of \$1.50 per acre per year, 90-day cancellation clause, and clause relieving Trustees of liability from flooding or for any other cause relating to use of the property.

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## PERMITS

CHARLOTTE COUNTY: Englewood Fishing Club, Inc., of Englewood, Florida, applied for State Permit to construct artificial reef in the Gulf of Mexico 2,400 feet offshore from Englewood Beach, at depth of 28 feet. The application was checked and approved by the State Board of Conservation for grant of permit.

Upon motion duly adopted, the Trustees authorized issuance of State Permit to Englewood Fishing Club, Inc., for the artificial reef, for the standard \$50.00 permit fee.

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8-23-60

COLLIER COUNTY: Amended application was presented from the Loyal Order of Moose, Naples Lodge 1782, for State Permit to construct artificial reef 2 miles westerly from the City of Naples in the Gulf of Mexico at a depth of 25 to 26 feet. The application was checked and approved by the State Board of Conservation for the amended location.

Upon motion duly adopted, the Trustees authorized issuance of State Permit to the applicant for artificial reef, for the standard \$50.00 permit fee.

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BAY COUNTY: Motor Fuel Carriers, Inc., made application for State Permit to construct a commercial dock in front of the firm's upland property in Holmes Subdivision, Panama City, on Watson Bayou. Plans, approved by the city, included deepening of water in the dock area, no filling of submerged land, and written consent by adjacent upland owners was filed.

Upon motion duly adopted, the Trustees authorized issuance of State Permit for commercial dock, for the standard fee of \$100.00.

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DUVAL COUNTY: Florida Oil and Refining Company made application for State Permit to construct industrial pier with mooring facility in the St. Johns River directly in front of the firm's upland. The major portion of the pier would be constructed on submerged lands previously purchased from Trustees, within the established bulkhead line. Adjacent owners' written consents were filed, and U. S. Army Corps of Engineers (SAKSP Permits 59-610) indicated no objection pending clearance with the Trustees.

Upon motion duly adopted, the Trustees authorized issuance of State Permit for commercial pier for the standard fee of \$100.00, conditioned upon procurement of local license or permit.

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GULF COUNTY: On June 21, 1960, the Trustees heard proponents and objectors in reference to application of Walter W. Owens, represented by Cecil G. Costin, for State Permit to construct a commercial dock directly in front of his upland lot fronting the Gulf of Mexico at St. Joe Beach, Beacon Hill, Florida. Objections were voiced by owners of lots not fronting the public water, to whom were granted easement to use the beach areas adjacent to the Owens lot for access, boating, bathing and non-commercial fishing. Written consents to proposed dock construction were filed by owners of the waterfront adjacent to the Owens lot. After local public hearing, County Commissioners of Gulf County found no violation of statute, ordinance, zoning or law, but held that adjoining land would suffer damage.

The Attorney General studied the file, including original deeds, and found that the Trustees had legal authority to grant dock permit, but that grantees of easement and fee simple title owner might have concurrent rights and interests, and that the merits of the case should be considered. Interested parties were notified to appear on this date.

On behalf of the applicant, Cecil G. Costin, Jr., and Basil E. Kenney, Jr., stated that Mr. Owens was within his riparian rights in applying to use his property for legitimate business use which would not encroach on rights of others or the easement to subdivision lots owners for access to the water, that many residents would enjoy having the facility, that the dock on pilings would not interfere with swimming, boating, or damage other property, but that in consideration of the objections the applicant had proposed a covenant to run with the land to insure orderly and nonobjectionable use of the pier with no sale of intoxicants thereon. Apparently purchasers of subdivision lots erred in assuming they had access to all the beach and that no construction

8-23-60



could be placed on the beach as the original developers had reserved intermediate 70-foot strips between highway and the water in front of streets in the development, which strips were being sold with no use restrictions.

In favor of the pier facility were about six letters filed with the Trustees, a petition signed by 30 residents and interested parties, and statement made by Mrs. Martin, resident and owner in the vicinity.

Protesting issuance of the pier permit were Senator John Rawls of Marianna, Mr. Davis representing a group of commercial fishermen, Benjamin H. Dickens, David Caskin, H. J. Brouillette, J. C. Arbogast, Wm. O. Gravely, L. W. Porter, and others, as well as a petition signed by 70 objectors. Grounds for protest were listed as depreciation and damage to residential property and enjoyment of the beach, disapproval by the local governing body, the Gulf County Commissioners, interference with natural resources and the seining carried on in that area by commercial fishermen, hazards to boating and swimming, probable parking and sanitation problems in connection with a public pier, and questions as to applicant's title. The objection most frequently raised was to having a commercial public pier in a residential area. However, it was pointed out that there was no local zoning, and there were several small stores and one private pier in the area.

Governor Collins felt that in the absence of either side having resorted to judicial relief, the Trustees were concerned only with the merits of the application and how permit would affect the public welfare. Attorney General Ervin explained that as a matter of policy the Trustees desired local governing bodies to consider and recommend. He suggested that if the permit was granted, the proposed covenant would be a safeguard to other owners.

All those desiring to speak were heard, several maps and the dock plans were examined, and the Trustees took the matter under advisement until decision was made.

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**HIGHLANDS COUNTY:** George E. Peterson applied for permit to dredge 500 cubic yards of fill material from the bottoms of Little Lake Jackson at Sebring, Florida, lakeward of applicant's upland property in Section 1, Township 35 South, Range 28 East. Such dredging in this lake had been approved by the Game and Fresh Water Fish Commission.

Upon motion duly adopted, the Trustees approved permit to Mr. Peterson to remove the requested material for improvement of his upland, at the standard charge of five cents per cubic yard, or \$25.00 in this instance.

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**FRESH WATER LAKES - POLICY:** The Director advised the Trustees that tentative proposal was received for a commercial sand lease of the submerged bottom of a meandered lake. Recent dredging in lakes had been limited to removal of moderate amounts of sand for improvement of lakefront upland, with approval by the State Game and Fresh Water Fish Commission, and in a few instances for improvement of boat channels. The staff felt that commercial sand leases of fresh water lake bottoms were not desirable, there being possibility of damage to the lake bottom, adverse effect on fish and lake-bottom vegetation conducive to fish breeding and feeding, as well as the likelihood of riparian controversy. While permission for wholesale dredging in specific areas had been refused, a general policy apparently was not established.

Upon motion unanimously adopted, the Trustees approved as established policy the rejection of all applications for commercial sand leases in fresh water lakes in the interest of conservation and preservation of lakes for the public use and enjoyment.

DADE COUNTY: Ward and Ward, attorneys for Nat Teller and wife, made application for conveyance under Section 253.12(1) paragraph 2, of 0.2 of an acre of formerly submerged land in Lake Pancoast at 2477 Collins Avenue, Miami Beach, filled in by the City in the widening of the avenue. Filed with the Trustees was City Resolution No. 10370 adopted August 3, 1950, showing that the parcel was not required for municipal purposes. The Director recommended conveyance for \$10.00 handling charge.

At the suggestion of Governor Collins, the Trustees deferred action and referred the matter to the Attorney General's office for examination into the authority, or obligation, of the Trustees in the case.

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MONROE COUNTY: File No. 527-44-253.12. Trustees' Deed No. 19808 dated March 2, 1954, conveyed to Henry C. Hudgins a tract of submerged land encompassing both Crab and Money Keys in Section 2, Township 67 South, Range 28 East, containing 20 acres, more or less. Upon application from Mr. Hudgins for purchase of an additional 6.78 acre parcel of submerged land southerly of and abutting the 20 acres previously conveyed, the parcel was advertised pursuant to the statutes and sale was confirmed on December 29, 1959.

During early 1960 the Trustees' Staff, in coordination with Mr. Hudgins' surveyor, E. R. McCarthy, arrived at the fact that Crab and Money Keys were surveyed by the U. S. Bureau of Land Management in 1954-55 as public lands of the United States, and in 1959 Crab Key (Government Lot 3 Section 2-67-28) was patented to Mr. Hudgins and Money Key (Government Lot 4 Section 2-67-28) was patented to Charles C. Matheny. It was further determined that the original 20 acre conveyance, as well as the 6.78 acre parcel, were not accurately located by the former surveys.

Hudgins and Alfonso, Inc., and Charles C. Matheny, present record owners, reconveyed the entire area back to the Trustees and requested that the entire composite tract containing 18.95 acres, less the 6.16 acre area of the two government lots, being a net area of 12.79 acres, be readvertised at Trustees' expense for sale for objections only using perimeter description.

Upon motion by Comptroller Green, adopted without objection, the Trustees authorized the advertisement at Trustees' expense, as requested.

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ST. LUCIE COUNTY: General Development Corporation, owner of the affected uplands, applied for easement for public road right of way across the North Fork St. Lucie River and Long Creek in Section 10, Township 37 South, Range 40 East. The corporation had submitted its bridge design to the U. S. Army Corps of Engineers, and proposed to construct and maintain the public road and bridge until dedication to the public, with provision for the easement to enure to the County, State Road Department, or Federal Government as the interest of either might appear.

Upon motion duly adopted, the Trustees deferred action for the Director to take the matter up with St. Lucie County, as it appeared that the easement should be granted to the county which could then deal with the developer.

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SEMINOLE COUNTY: Elwood Phillips applied for disclaimer of the NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 14, Township 20 South, Range 32 East, which was sold by Trustees to Miles Price on January 13, 1860 as evidenced by original receipt in State Land Office showing payment in full. Since no copies of deeds appeared to have been retained at that time, and the deed was not of record in Orange or Seminole County, disclaimer to help clear up title problem was recommended.

8-23-60

Upon motion by Mr. Ervin, duly adopted, the Trustees authorized issuance of disclaimer for the handling charge of \$10.00.

CENTRAL AND SOUTHERN FLORIDA FLOOD CONTROL DISTRICT: In accordance with resolution adopted by the Trustees on December 20, 1949, the Trustees in meeting June 27, 1950, approved deed forms prepared for use in conveyances to the Central and Southern Flor'da Flood Control District of the rights in canal reservations in original Trustees' deeds.

The District, desiring to secure the rights to the materials excavated or removed from the rights of way for works of the District requested that Trustees adopt a new form of instrument for conveying such rights in reservations where rights were reserved in lands conveyed in later Trustees' deeds known as specific canal reservation with right to sell or remove spoil where reserved. The Attorney General's Office approved the new instrument form. The old form of instrument would continue in use where only the general canal reservations, without spoil removal rights, were reserved.

Motion was made by Mr. Green, seconded by Mr. Ervin, and adopted, that the instrument form requested by Central and Southern Florida Flood Control District be approved for use in appropriate cases.

SUBJECTS UNDER CHAPTER 18296

Upon motion duly adopted, the Trustees approved Bidding Report No. 763 listing 51 regular bids for sale of Murphy Act lands, and authorized issuance of deeds pertaining thereto.

Upon motion duly adopted, the Trustees adjourned.

ATTEST:

  
DIRECTOR - SECRETARY

  
GOVERNOR - CHAIRMAN

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Tallahassee, Florida  
August 30, 1960

The Trustees of the Internal Improvement Fund met on this date in the Governor's Office, in the Capitol.

Present:	LeRoy Collins	Governor
	Ray E. Green	Comptroller
	Richard W. Ervin	Attorney General
	Lee Thompson	Commissioner of Agriculture

Van H. Ferguson

Director-Secretary

LAND SALE

OKEECHOBEE COUNTY: On June 14 the Trustees considered proposal of the Clerk of the Circuit Court of Okeechobee County to accept applications for the following two parcels purchased by Trustees from the State under the Murphy Act in Okeechobee County Deed No. 04-Chapter 21684:

8-30-60



- (1) 58.7 ft. North and South by 100 ft. East and West in SE corner of NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 21, Township 37 South, Range 35 East, 0.13 acre, and
- (2) Begin 100 ft. West of SE corner of NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 21, Township 37 South, Range 35 East, run West 108.7 ft., North 208.7 ft., East 58.7 ft., South 150 ft., East 40 ft., South 58.7 ft., 0.3 acre, more or less,

subject to outstanding drainage and municipal taxes and assessments, with purchaser to pay all costs including advertisement with base bid of \$150.00 per lot, and allowance of \$10.00 per parcel to Clerk. Sale notice was published in the Okeechobee News, and proof of publication was filed in the Trustees' Office.

On the advertised sale date, August 17, competitive bidding at the Okeechobee County Courthouse resulted in high bids of \$160.00 each for the two parcels by Jack and Ethel Rogers.

Upon motion duly adopted, the Trustees confirmed sale of the two parcels to the high bidders, and authorized payment of \$20.00 to the Clerk of the Circuit Court for his services.

#### APPLICATION TO PURCHASE

MONROE COUNTY: File No. 726-44-253.12. B. B. Leigh and wife, abutting upland owners represented by G. A. Crawshaw, offered the established price of \$300.00 per acre for purchase of a parcel of submerged land in Florida Bay in Section 18, Township 63 South, Range 38 East, Plantation Key, containing 0.36 of an acre, more or less.

Upon motion by Comptroller Green, duly adopted, the Trustees authorized the parcel advertised for objections only.

#### LEASES

GLADES COUNTY: Dell C. Mitchell made application for five-year grazing lease on a tract of land in Section 12, Township 42 South, Range 32 East, Glades County, 16.28 acres between the levee and a tract owned by A. C. L. Railroad Company, near Moore Haven.

The Director recommended three-year grazing lease at \$1.50 per acre per year (the rate fixed by Trustees on August 23, 1960 for grazing leases in the zone) with provision for cancellation on 120-day written notice, and clause exempting Trustees from liability for damage from flooding or arising out of use of the land.

Upon motion duly adopted, the Trustees approved issuance of three-year grazing lease of the tract, at \$1.50 per acre per year, lease to include the clauses recommended by the Director.

LEE COUNTY: Florida Audubon Society made application for lease for wildlife refuge purposes covering a sovereignty area 1,500 feet East and West by 2,300 feet North and South, containing 79.2 acres, more or less, in the E $\frac{1}{2}$  of Section 3, Township 44 South, Range 21 East, which included three mangrove keys or islands known as the "Broken Keys" in Pine Island Sound. The Director explained that the parcel was not riparian to any upland, was a desirable location for protection of wading birds, more than one mile from the route of Intracoastal Waterway, the location of waterway route having held up for two years presentation of request for lease. The application furnished acceptable legal description using coordinates to fix the location accurately.

8-30-60

Upon motion duly adopted, the Trustees approved issuance of ten-year lease at \$1.00 per year to Florida Audubon Society for wildlife refuge purposes only, with requirement of annual report of use of the area and its effectiveness, and subject to cancellation by the Trustees on six-months written notice.

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#### MISCELLANEOUS

**BROWARD COUNTY:** Gulf Oil Corporation made application for State Permit to construct a new marina on the site of present, obsolete marina at applicant's property in Gulf Point Subdivision, west of the Intracoastal Waterway at Fort Lauderdale. Approval of the city was secured by the applicant, and revisions were made in the plan at the suggestion of the Trustees' staff.

Upon motion duly adopted, the Trustees authorized State Permit to Gulf Oil Corporation for the commercial marina facility, at the usual processing fee of \$100.00.

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**DADE COUNTY:** On behalf of the University of Miami, D. H. Redfearn, attorney, presented a request, concurred in by Dade County by letter from D. A. Davis, County Attorney, for a corrective deed from the Trustees covering lands conveyed to Dade County, a portion of which was leased to the University of Miami for construction and operation of a Marine Laboratory, and a portion of which was leased by Dade County to Marine Exhibition Corporation for construction and operation of an aquarium. The Director explained that Trustees' Deed No. 18556 dated May 24, 1940, conveyed to Dade County for public purposes only, certain lands fronting on Biscayne Bay, and Trustees' Deed No. 19436 dated October 12, 1948, to Dade County modified the conditions of the previous conveyance subject to the construction within five years, on some portion or portions of the land described, an aquarium and marine laboratory which, with the bulkheading and filling therefor, should cost a minimum of \$1,500,000.00.

Further, it was explained that the University of Miami had constructed and had under operation the Marine Laboratory for educational and scientific purposes, and the Marine Exhibition Corporation had constructed and had under operation an aquarium, and prior to 1958 the two lessees together had spent more than \$1,500,000.00. However, it was not spent within the five-year period and this fact was considered a technical cloud on the title by the Federal Government, from which the University of Miami expected to obtain a loan to build a dormitory next to the Marine Laboratory. Mr. Ferguson recommended that Deed No. 19436 be modified or amended to allow a period of ten years for expenditure of the stated amount.

Upon motion by Attorney General Ervin, seconded and adopted, the Trustees authorized modification of Deed No. 19436 from five to ten years with respect to the time allowed for construction of marine laboratory and aquarium facilities costing a minimum of \$1,500,000.00, and the Trustees authorized that certified copy of the Trustees' Minutes on this matter be forwarded on this date to Mr. Redfearn, to expedite the University of Miami's securing Federal funds for the proposed construction.

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**GLADES COUNTY:** The Central and Southern Florida Flood Control District applied for perpetual easement for right of way for Levee L-50 over a strip 1,100 feet wide of the unsurveyed lake bottoms of Lake Okeechobee in Township 40 South, Range 32 East, Glades County, below or lakeward of the 17-foot contour (Lake Okeechobee Datum). District Resolution No. 427 was filed, assuring the Trustees that riparian upland owners adjacent to that portion of the levee would have access to the waters of Lake Okeechobee.

8-30-60

Upon motion duly adopted, the Trustees granted perpetual easement to Central and Southern Florida Flood Control District as requested.

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**PUBLIC LANDS: SUBMERGED LANDS:** Florida State Council of the Izaak Walton League, Tavernier, Florida, submitted copies of its Resolution No. 9 dated August 21, 1960, requesting that Trustees declare moratorium on all shoreline and submerged land sales until a complete and scientific study was made of the entire state to determine those lands that should be saved, protected and preserved for the public welfare, and that the Governor appoint a committee of representatives of conservation groups, Game and Fresh Water Fish Commission and State Board of Conservation and seek cooperation of federal agencies, to prepare a report and recommendations based on extensive study in each county of Florida; and Resolution No. 11 dated August 21, 1960, asking that Trustees place a more realistic price on submerged lands and shoreline areas "based on the value of the land to the people of Florida."

Governor Collins and Attorney General Ervin reviewed at some length the various grants, dedications, safeguards and policies that evidenced active support and long-range planning of conservation measures by the Trustees through recent years, as it appeared that the Izaak Walton organization might not be informed as to what the Trustees had done in respect to these matters. Although Monroe County had been excluded from provisions of the Bulkhead Act through action of its Legislators, it was explained that the Trustees had appraised individually every request for purchase, with a view toward symmetrical lines, cut-backs on a number of applications and denial of others basically for conservation purposes. In so far as land values were concerned, it was explained that the Trustees secured appraisal reports from competent appraisers, and that in many instances the Board had raised the prices beyond the appraisals.

No action was taken.

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**GOVERNOR'S MANSION PARK:** Upon motion by Attorney General Ervin, unanimously adopted, the Board authorized payment from Trustees' funds of reasonable expenses of improvement of the park in front of the Governor's Mansion, and authorized the work to proceed with report to be made later as to amount of expenditure.

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**CAPITOL CENTER:** The Trustees discussed progress on acquisition of several parcels of property in the Capitol Center. William F. Armstrong, Building Expeditor, reported on the R. H. Gibson property on the northeast corner of Adams and Bloxham Streets south of the Trustees' building, described as Lot 140, City of Tallahassee, as in Plat Book 1, page 10, public records of Leon County.

Upon motion by Comptroller Green, seconded by Attorney General Ervin, and adopted, the Trustees authorized Mr. Armstrong to proceed with negotiations to purchase the Gibson property, and approved \$27,500.00 as purchase price.

The Trustees mentioned proposed purchase of the A. Bernard Byrd property described as Lots 130 and 131 and West 50 feet of Lots 129 and 132, City of Tallahassee, bounded on the North by Madison Street, West by Monroe Street, South by Gaines Street.

The Trustees also discussed with Terry Lee the sale of remaining houses, and directed him to contact the State Road Department for assistance in clearing and cleaning up properties in the Capitol Center.

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8-30-60



SUBJECTS UNDER CHAPTER 18296

Upon motion duly adopted, the Trustees approved issuance of County of Pasco Deed No. 928-Corrective to Annie Williams, et al, approved by the Attorney General's Office to correct name of grantee in original deed dated October 25, 1944.

Upon motion duly adopted, the Trustees adjourned.

ATTEST:

  
DIRECTOR - SECRETARY

  
GOVERNOR - CHAIRMAN

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Tallahassee, Florida  
September 6, 1960

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office, in the Capitol.

Present:	LeRoy Collins	Governor
	Ray E. Green	Comptroller
	Richard W. Ervin	Attorney General

Van H. Ferguson                      Director-Secretary

Without objection, the minutes of the meeting on August 23, 1960, which had been approved by the Attorney General and copies presented to each member, were approved by the Trustees.

APPLICATIONS TO PURCHASE LAND

INDIAN RIVER COUNTY: File No. 512-31-253.12. Ivy-Jay Corporation, abutting upland owner, represented by Vocelle and Vocelle, offered the appraised price of \$125.00 for a parcel of submerged land in the Indian River in Section 6, Township 31 South, Range 39 East, 0.54 of an acre in the City of Sebastian within the established bulkhead line, the parcel having been approved for filling by the city.

Upon motion by Attorney General Ervin, duly adopted, the Trustees authorized the parcel advertised for objections only.

MARTIN COUNTY: File No. 686-43-253.12. C. A. Reed and Joseph H. Poff, abutting upland owners, represented by Charles B. McAdam, offered the appraised price of \$350.00 per acre for 0.59 of an acre of submerged land in the Indian River in Section 22, Township 37 South, Range 41 East, at Jensen beach within the established bulkhead line.

Upon motion by Attorney General Ervin, duly adopted, the Trustees authorized the parcel advertised for objections only.

9-6-60

MARTIN COUNTY: File No. 687-43-253.12. W. R. Fogarty, abutting upland owner, represented by Charles B. McAdam, offered the appraised price of \$350.00 per acre for 1.28 acres of submerged land in the Indian River in Sections 22 and 23, Township 37 South, Range 41 East, within the established bulkhead line.

Upon motion by Mr. Ervin, duly adopted, the Trustees authorized the parcel advertised for objections only.

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MARTIN COUNTY: File No. 690-43-253.12. Glenn J. White, abutting upland owner, represented by Charles B. McAdam, offered the appraised price of \$350.00 per acre for 0.62 acre parcel of submerged land in the Indian River in Section 22, Township 37 South, Range 41 East, within the established bulkhead line.

Upon motion by Mr. Ervin, duly adopted, the Trustees authorized the parcel advertised for objections only.

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MONROE COUNTY: File No. 697-44-253.12. A. E. Rhash, abutting upland owner, offered the established price of \$250.00 per acre for 1.32 acre parcel of submerged land in the Straits of Florida in Section 11, Township 66 South, Range 32 East, Key Vaca.

Upon motion by Mr. Ervin, seconded and adopted, the Trustees authorized the parcel advertised for objections only.

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MONROE COUNTY: File No. 728-44-253.12. James C. Russell and wife, abutting upland owners, represented by G. A. Crawshaw, offered the established price of \$425.00 per acre for 0.61 acre parcel of submerged land in the Bay of Florida in Section 28, Township 63 South, Range 37 East, Upper Matecumbe Key.

Upon motion by Mr. Ervin, seconded and adopted, the Trustees authorized the parcel advertised for objections only.

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MONROE COUNTY: File No. 729-44-253.12. Eunice P. Merrick, abutting upland owner represented by G. A. Crawshaw, offered the established price of \$425.00 per acre for 1.52 acre parcel of submerged land in the Straits of Florida in Section 6, Township 64 South, Range 37 East, Upper Matecumbe Key.

Upon motion by Mr. Ervin, seconded and adopted, the Trustees authorized the parcel advertised for objections only.

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MONROE COUNTY: File No. 731-44-253.12. George K. Glassford and wife, abutting upland owners, represented by G. A. Crawshaw, offered the established price of \$425.00 per acre for 0.32 of an acre of submerged land in the Straits of Florida in Section 6, Township 64 South, Range 37 East, Upper Matecumbe Key.

Upon motion by Mr. Ervin, seconded and adopted, the Trustees authorized the parcel advertised for objections only.

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MONROE COUNTY: File No. 732-44-253.12. Harold L. Smith and wife, abutting upland owners, represented by G. A. Crawshaw, offered the established price of \$425.00 per acre for 1.38 acres of submerged land in the Straits of Florida in Section 23, Township 63 South, Range 37 East, Windley Key.

Upon motion by Mr. Ervin, duly adopted, the Trustees authorized the parcel advertised for objections only.

PALM BEACH COUNTY: File No. 709-50-253.12. Samuel A. Manalan, abutting upland owner, represented by Brockway, Weber and Brockway, applied for (a) disclaimer under Section 253.129 Florida Statutes 1957, for the \$10.00 handling charge, to an area in the City of West Palm Beach in Section 15, Township 43 South, Range 43 East, containing 0.368 of an acre; and (b) deed to those submerged lands in Lake Worth in said Section 15, lying easterly of and abutting the parcel in "a" outward to the established bulkhead line of the city, containing 0.214 of an acre, more or less, for which Mr. Manalan offered the appraised price of \$2,150.00 for the parcel, subject to advertisement for objections only.

The Director called attention to the map submitted, showing that a portion of the filled area for which disclaimer was requested, as well as a portion of the area applied for purchase, was in front of a portion of 15th Street. The city had not requested extension of that street, however the Trustees were agreeable to sale to an owner only within extension of the boundaries of his upland property and several questions were raised concerning the existing fill, easements or rights of way for Flagler Drive and 15th Street. It was suggested that the file should contain an expression from the city regarding the street extension.

Upon motion by Mr. Green, seconded and adopted, the Trustees deferred action for further information, and indicated that if questions cannot be cleared, disclaimer and sale should be limited to the area directly in front of applicant's upland west of Flagler Drive.

#### LEASES

STATE DRILLING LEASES: 224-A-Modified; 224-B-Modified, and 248. Under action of the Trustees on October 12, 1954 and March 29, 1955, footage drilled in excess of drilling requirements was authorized to be allocated to future drilling obligations under leases held by Coastal Petroleum Company, holder of State Drilling Leases 224-A-Modified, 224-B-Modified and 248. Under agreement dated July 31, 1959, abatement of drilling requirements was granted as to the area in Tidelands litigation, to be effective as to the current five-year drilling periods of Leases 224-A-Mod. and 224-B-Mod. and until ninety days after decision in the litigation, the footage abatement to be based on ratio of area in litigation to the overall lease area. The abatement period for Lease 224-A-Mod. was 246 days, and for Lease 224-B-Mod. was four years 155 days.

Taking all footage drilled beyond the lease requirement of the three leases and allowed by the Trustees, surplus footage of 35,654 feet was available December 27, 1959 for crediting to drilling requirements of the three leases held by Coastal, of which total 10,800 feet was allocated March 8, 1960 to satisfy drilling requirements of Lease 224-A-Mod. for the five-year period ending December 27, 1959, under which said lease and within which drilling period a well was drilled in Franklin County. This allocation left a present surplus of 24,854 feet available for crediting future drilling obligations under Coastal's three leases, 224-A-Mod., 224-B-Mod. and 248.

Inasmuch as full drilling requirements became reinstated August 29, 1960, the abated footages and drilling footage requirements were computed independently by the Trustees' staff and by a representative of Coastal for the current five-year drilling periods of Leases 224-A-Mod. and 224-B-Mod., and the calculated results being identical, the current five-year drilling requirements were reported as follows:

Lease 224-A-Modified, 22,221 ft. (period ending December 27, 1964)  
Lease 224-B-Modified, 14,958 ft. (period ending March 27, 1961)



Under Lease 224-B-Mod., immediate drilling of a well to 13,500 feet was planned by the California Company under joint agreement between the California and Coastal firms. The president of Coastal advised that drilling deeper than 13,500 feet for the well appeared impracticable, and proposed that the Lee County well drilled to 13,500 feet be accepted as fulfillment of the current five-year drilling obligation under Lease 224-B-Mod., and to extend said lease five more years beyond March 27, 1961; and that drilling requirements for Lease 224-A-Mod. for the five-year period ending December 27, 1964 be increased from 22,221 feet to 24,000 feet. The proposal was reviewed on August 26 with the State Geologist and found feasible, although it appeared possible that the Lee County well should be drilled to a greater depth if the expected formation was not reached at 13,500 feet. Mr. Ferguson reported that the state would actually gain by 321 net footage, that Assistant Attorney General McLane and Dr. Robert O. Vernon, State Geologist, had been consulted, and that nothing objectionable was found.

The Director recommended that the Trustees agree that in the event the Lee County well shall have been drilled to 13,500 feet or deeper during the current five-year drilling period ending March 27, 1961 (Lease 224-B-Mod.), then the footage so drilled would be accepted by the Trustees as full compliance with the drilling obligation under Lease 224-B-Mod. for the period ending March 27, 1961, and that, thereupon, the drilling requirements under Lease 224-A-Mod., for the period ending December 27, 1964, should be 24,000 feet, the agreement to be evidenced by instrument executed by the Coastal firm and the Trustees containing appropriate provisions showing that other lease requirements remained unchanged and that such agreement would not in anywise affect litigation pending between the Trustees and the Coastal firm concerning the three leases or either of them.

Governor Collins requested that the record show that the majority of the Trustees approved the recommendation presented.

It was so ordered.

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**PALM BEACH COUNTY:** Pelican Bay Tract. Farm lease was authorized to high bidders Robert Apelgren and Edgar Wilder on August 9, 1960, in connection with which it was provided that Richlands, Inc., had been allowed ninety days from July 28, 1960, in which to remove pumps and other equipment classed by the Attorney General as removable. The high bidders advised that very few improvements had been removed, that occupation and use of the premises for agricultural purposes as contemplated in the lease were impracticable until the improvements were removed or negotiation for purchase by lessees was concluded as only preparatory clearing in limited areas could be done, and lessees requested that the lease become effective when such removal was accomplished or the remaining improvements purchased or forfeiture declared by the Trustees for failure to remove within the 90-day period.

The Director recommended that the lease become effective on the date that the removable improvements of the former lessee, Richlands, Inc., were removed or acquired by lessees, and that in event Richlands failed to complete such removal or sale on or before the end of the ninety-day period that the Trustees declare the remaining items forfeited.

Upon motion duly adopted, the Trustees directed that Richlands, Inc., be notified that the ninety-day period allowed for removal of pumps and other removable equipment from the leased premises should be amended to be effective for ninety days from the date the new lease was authorized, August 9, 1960, rather than from July 28th as previously fixed, and that after the specified ninety days the remaining removable improvements, unless acquired by the new lessees by lease or purchase, would be declared by the Trustees to be forfeited to the State by the former lessee by reason of failure

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to exercise the removal privilege; also, the Trustees agreed that the lease to Messrs. Apelgren and Wilder should become effective on the date the remaining removable improvements were removed or acquired by lessees or forfeiture declared by Trustees, thus enabling the new lessee to use the premises for agricultural purposes as contemplated by terms of the lease.

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DADE COUNTY: Allied Marine Corporation applied for State Permit to construct marina at its upland Tract "A", 1st Addition to Treasure Island, Plat Book 53, page 65, public records of Dade County, Florida. Owners of abutting lands consented to the construction, and application was made to the U. S. Army Corps of Engineers (SAKSP 60-395) whose approval was required by the City of North Bay Village before the local permit could issue.

Upon motion duly adopted, the Trustees authorized issuance of the State Permit for the processing fee of \$100.00, subject to requirement of permit from U. S. Engineers and the City of North Bay Village.

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PINELLAS COUNTY: Pinellas County applied for State Permit to construct a public pier in Tampa Bay in front of county property at Mullet Key, Fort DeSoto Park, where the present county-owned dock was inadequate.

Upon motion duly adopted, the Trustees authorized issuance of the State Permit for the usual processing fee of \$100.00.

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SUWANNEE RIVER: Suwannee and Hamilton Counties. On behalf of the Suwannee River Water Conservation and Control Authority, Chairman John C. Camp of Jasper, Otto Wettstein III of Live Oak, and Director John W. Wakefield of the Department of Water Resources of the State Board of Conservation, presented request that Trustees grant the sum of \$5,000.00 to supplement \$2,500.00 already available to the Authority, to be used to gather data and construct an experimental low-head dam in the Suwannee River in the vicinity of Suwannee Springs to determine the feasibility of holding water between White Springs and Suwannee Springs by means of low dams so that a pool of navigable water (three foot depth) could be maintained for use of pleasure craft, for preserving beauty of the river at the Memorial, and to be an integral part of the overall development of the Suwannee River Basin. Mr. Wakefield explained that 1955 reports to the Trustees by F. C. Elliot and Dr. Robert O. Vernon expressed doubt that the geology would permit impounding of water due to porous nature of subsurface formations, but that there was lack of sufficient data to evaluate the feasibility of proposed low-level dam project which, if successful, would enable subsequent excavation upstream to remove obstructions to navigation. He stated that at low level stages of the river there would have to be some kind of lift or ramp for boats, but that the dam would not affect high level stages of the river.

Governor Collins expressed approval of the research and construction, which might lead toward improved permanent fishing and recreation opportunities, preserving esthetic beauty of the river, and possibly maintaining the water table for surrounding areas.

Upon motion duly adopted, the Trustees granted the sum of \$5,000.00 to the Department of Water Resources for the purpose, conditioned on the counties involved putting \$2,500.00 into the same account for the cooperative undertaking as explained by Mr. Wakefield.

CAPITOL CENTER: Terry Lee, Coordinator for the Board of Commissioners of State Institutions, reported that upon call for bids for demolishing the Rose property on Monroe Street, low bid received from C. M. Butler Wrecking Contractor of Jacksonville was \$3,000.00 for completion within sixty days, or \$3,500.00 for completion within forty-five days, the firm to put up \$1,000.00 cashier's check plus performance bond.

Upon motion by Attorney General Ervin, seconded and adopted, the Trustees authorized acceptance of the bid of \$3,500.00 for the job to be completed within forty-five days, the matter to be handled through the Construction Division of the Board of Commissioners of State Institutions.

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CAPITOL CENTER: Attorney General Ervin asked that the Trustees hear report from Assistant Attorney General Ralph M. McLane relating to proposed purchase of Capitol Center property.

Mr. McLane stated that the property on which Pierce Ford had placed a binder, described as West 62.8 feet of Lot 252 and East 17.4 feet of Lot 253, Sub. Old Plan, City of Tallahassee, could be purchased from Vivian Tulley and Mary E. Windsor for \$14,000.00, slightly more than the 1956 appraisal of \$11,895.00 plus 10%.

Terry Lee, Coordinator for the Board of Commissioners of State Institutions, stated that the property was in a block on which Capitol Center plans called for a building, eventually, and on which there was now a parking lot and two pieces of property owned by the Trustees.

Upon motion by Attorney General Ervin, seconded and adopted, the Trustees authorized purchase of the Tulley-Windsor property for \$14,000.00, for future use for the Capitol Center.

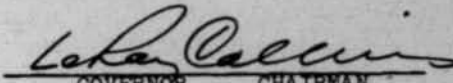
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SUBJECTS UNDER CHAPTER 18296

Upon motion by Mr. Green, duly adopted, the Trustees approved Report No. 765 listing two bids for purchase of Murphy Act lands, and authorized issuance of County of Franklin Deed No. 253-Corrective to Jay A. Shuler to add certain tax sale certificate numbers which were omitted from original deed.

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Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
September 13, 1960

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office, at the Capitol.

Present:	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Lee Thompson	Commissioner of Agriculture

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Van H. Ferguson      Director-Secretary

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Upon motion duly adopted, the Trustees approved the minutes of the meetings on August 30 and September 6, 1960.

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LAND SALES

DADE COUNTY: File No. 700-13-253.12. On July 19 the Trustees considered application by Miami Caribe Investments, Inc., abutting upland owner, for purchase of a parcel of submerged land in Biscayne Bay in Section 7, Township 54 South, Range 42 East, 0.37 of an acre, more or less, in the City of Miami within the established bulkhead line, appraised at \$7,065.00 per acre. The parcel, adjacent to uplands in Section 38 of Township 54 South, Range 41 East, was advertised for objections only in The Miami Herald, and proof of publication was filed in the Trustees' office.

One objection to sale was filed and subsequently withdrawn.

Upon motion by Mr. Larson, seconded and adopted, the Trustees confirmed sale of the parcel to the applicant at the appraised price.

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INDIAN RIVER COUNTY: File No. 708-31-253.12. On August 2 the Trustees considered offer of the appraised price of \$318.50 per acre from General Development Corporation, abutting upland owner for two parcels of submerged land in the Indian River in Section 32, Township 33 South, Range 40 East, lying easterly of and abutting Government Lots 2 and 3 of said Section 32, containing 0.59 acre, more or less, within the established bulkhead line. The land was advertised in The Press Journal, Vero Beach, Florida, proof of publication was filed in the Trustees' office, and no protests to the sale were received.

Upon motion by Mr. Larson, seconded and adopted, the Trustees confirmed sale of the land to the applicant at the appraised price.

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LEE COUNTY: File No. 698-36-253.12. On July 19 the Trustees considered offer of the appraised price of \$100.00 per acre from McGregor Isles, Inc., abutting upland owner, for purchase of a parcel of submerged land in the Caloosahatchee River in Section 16, Township 45 South, Range 24 East, containing 4.3 acres, more or less, within the established bulkhead line. The land was advertised in the Fort Myers News-Press, proof of publication was filed with the Trustees, and no objections to the sale were received.

Upon motion by Mr. Larson, duly adopted, the Trustees confirmed sale to the applicant at the appraised price.

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MONROE COUNTY: File No. 411-44-253.12. On August 2 the Trustees considered offer of the established price of \$300.00 per acre from Edwin L. Jones and wife, abutting upland owners, for purchase of a tract of bay bottom land in Bogle Channel in Section 25, Township 66 South, Range 29 East, Big Pine Key, containing 0.7 of an acre, more or less. The land was advertised in The Keynoter, Marathon, Florida, proof of publication was filed in the Trustees' office, and no objections to the sale were received.

Upon motion by Mr. Green, duly adopted, the Trustees confirmed sale to the applicant at the price offered.

MONROE COUNTY: File No. 685-44-253.12. On July 19 the Trustees considered offer of the established price of \$425.00 per acre from Herbert R. Roth, abutting upland owner, for purchase of a tract of bay bottom land in the Straits of Florida, southeasterly of and adjacent to a part of Government Lot 2, Section 28, Township 63 South, Range 37 East, Upper Matecumbe Key, containng 2.0 acres, more or less. The land was advertised in the Key West Citizen, and proof of publication was filed with the Trustees.

Letter from Lyle Roberts advised that he did not object to the sale, providing it did not permit bulkheading and filling of the land acquired. The Director advised that the parcel conformed to an area line to create a more uniform shoreline, and that other sales had been made in the area.

Upon motion by Mr. Larson, seconded and adopted, the Trustees overruled the object and confirmed sale to Mr. Roth, abutting owner, at the price offered.

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MONROE COUNTY: File No. 693-44-253.12. On August 2 the Trustees considered application by Floyd Lamb, abutting upland owner, who offered the established price of \$300.00 per acre for a tract of bay bottom land in Bogie Channel in Section 25, Township 66 South, Range 29 East, Big Pine Key, containng 1.4 acres, more or less. The parcel was advertised in The Keynoter, Marathon, Florida, proof of publication was filed with the Trustees, and no objections to the sale were received.

Upon motion by Mr. Larson, duly adopted, the Trustees confirmed sale of the advertised parcel to Mr. Lamb at the price offered.

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MONROE COUNTY: File No. 694-44-253.12. On August 2 the Trustees considered application by Joseph Kesler, abutting upland owner, who offered the established price of \$425.00 per acre for a parcel of submerged land in the Straits of Florida in Section 5, Township 64 South, Range 37 East, Upper Matecumbe Key, containing 0.35 acre, more or less. The parcel was advertised in the Key West Citizen, proof of publication was filed with the Trustees, and no objections to the sale were filed.

Upon motion by Mr. Green, duly adopted, the Trustees confirmed sale of the advertised parcel to Mr. Kesler at the price offered.

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MONROE COUNTY: File No. 696-44-253.12. On July 19 the Trustees considered application by Harry G. Deaver and wife, abutting upland owners, who offered the established price of \$300.00 per acre for a parcel of submerged land in the Bay of Florida in Section 18, Township 63 South, Range 38 East, Plantation Key, containing 0.52 acre, more or less. The parcel was advertised in the Key West Citizen, and proof of publication filed with the Trustees.

John L. Kirk, on behalf of Samuel A. Grow and wife, owners of Lot 44 Block 10 of Plantation Beach, objected to the proposed extension and the possibility of either being "put in a pocket" or having to make similar purchase of submerged land. The Director recommended deferment.

Upon motion duly adopted, the Trustees deferred action to allow the objections to be worked out, if possible.

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MONROE COUNTY: File No. 699-44-253.12. On July 19 the Trustees considered application by Beryl B. Chastain, abutting upland owner, who offered the established price of \$425.00 per acre for a parcel of submerged land in the Straits of Florida in Section 23, Township 63 South, Range 37 East, 0.89 of an acre, more or less, at Windley Key. The land was advertised in the Key West Citizen, proof of :

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publication was filed with the Trustees, and no protest to the sale was received.

Upon motion by Mr. Larson, duly adopted, the Trustees confirmed sale to the applicant at the price offered.

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MONROE COUNTY: File No. 701-44-253.12. On July 19 the Trustees considered application by Eva L. Grant, et al, abutting upland owners, who offered the established price of \$300.00 per acre for a parcel of submerged land in the Straits of Florida in Section 8, Township 63 South, Range 38 East, 0.72 acre, more or less, at Plantation Key. The land was advertised in The Coral Tribune, Key West, Florida, proof of publication was filed with the Trustees, and no protest to the sale was received.

Upon motion by Mr. Green, duly adopted, the Trustees confirmed sale to the applicants at the price offered.

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MONROE COUNTY: File No. 702-44-253.12. On July 19 the Trustees considered application by Roy I. Morrison, abutting upland owner, who offered the established price of \$300.00 per acre for a parcel of submerged land in the Bay of Florida in Section 18, Township 63 South, Range 38 East, 0.76 acre, more or less, at Plantation Key. The land was advertised in The Coral Tribune, Key West, Florida, proof of publication was filed with the Trustees, and no objections to the sale were received.

Upon motion duly adopted, the Trustees confirmed sale to the applicant at the price offered.

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MONROE COUNTY: File No. 703-44-253.12. On July 26 the Trustees considered application by John W. Waltz, abutting upland owner, with offer of the established price of \$250.00 per acre for a parcel of submerged land in the Straits of Florida in Section 6, Township 66 South, Range 33 East, 0.8 acre, more or less, at Key Vaca. The parcel was advertised in The Coral Tribune, Key West, Florida, proof of publication filed with the Trustees, and no objections to the sale were received.

Upon motion duly adopted, the Trustees confirmed sale to the applicant at the price offered.

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MONROE COUNTY: File No. 711-44-253.12. On August 2 the Trustees considered application by L. L. Hood, et al, abutting upland owners, with offer of the established price of \$300.00 per acre for purchase of a parcel of submerged land in the Straits of Florida in Section 26, Township 62 South, Range 38 East, 19.0 acres, more or less, at Key Largo. The land was advertised in The Coral Tribune, proof of publication filed with the Trustees, and no objections were received.

Upon motion duly adopted, the Trustees confirmed sale to the applicants at the price offered.

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MONROE COUNTY: File No. 712-44-253.12. On August 2 the Trustees considered application by Joe L. Burton and wife, abutting upland owners, who offered the established price of \$425.00 per acre for a parcel of submerged land in Florida Bay in Section 27, Township 62 South, Range 38 East, at Key Largo, 0.69 acre, more or less. The land was advertised in The Coral Tribune, Key West, Florida, proof of publication was filed with the Trustees, and no objections to the sale were received.

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Upon motion duly adopted, the Trustees confirmed sale to the applicants at the price offered.

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MONROE COUNTY: File No. 713-44-253.12. On August 2 the Trustees considered application by Herman Blackman, et al, abutting upland owners, who offered the established price of \$350.00 per acre for a tract of submerged land in the Straits of Florida in Section 5, Township 62 South, Range 39 East, at Key Largo, and fronting Lots 5 and 6, according to MacDonald's Plat of "Govt. Lots 5 and 6 and the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 5 and Lots 1 and 2 of Section 6, Township 62 South, Range 39 East" recorded in Plat Book 1 at Page 59, Public Records of Monroe County, Florida, the parcel containing 1.7 acres, more or less. The land was advertised in the Key West Citizen, proof of publication filed with the Trustees, and no objections to the sale were received.

Upon motion duly adopted, the Trustees confirmed sale to the applicants at the price offered.

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PALM BEACH COUNTY: File No. 73-50-253.12. On April 8, 1958, the Trustees confirmed sale in favor of Edward A. Haas, upland owner, of a 1.3 acre parcel of submerged land in Lake Worth in Section 28, Township 42 South, Range 43 East, in Riviera Beach, at the appraised price of \$540.00 per acre; however, the applicant did not complete the purchase.

The application was reactivated by Edward Wortmann and wife, represented by Cromwell, Remsen & Johnson, who had purchased a portion of Mr. Haas' upland. Mr. Wortmann applied to purchase a parcel of submerged land in Lake Worth in Section 28, Township 42 South, Range 43 East, Riviera Beach, Easterly of and abutting the South 100 feet of the North 1,200 feet of said Section 28, lying East of Avenue "A" as now located and in use, containing 0.725 acre, more or less, within the established bulkhead line. New appraisal reported the value for the land as \$790.00 per acre. The parcel was advertised in the Palm Beach Post, West Palm Beach, Florida, proof of publication was filed with the Trustees, and no objections to the sale were received.

Upon motion by Mr. Larson, seconded by Mr. Green and adopted, the Trustees confirmed sale to Mr. Wortmann and wife at the current appraised price of \$790.00 per acre for the 0.725 acre parcel riparian to their upland property.

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PALM BEACH COUNTY: File No. 704-50-253.12. On August 2 the Trustees considered application by Slorents, Inc., abutting upland owner represented by Brockway, Weber & Brockway, for purchase of a parcel of submerged land in Lake Worth in Section 15, Township 43 South, Range 43 East, containing 0.326 acre, more or less, within the established bulkhead line of the City of West Palm Beach. The parcel was advertised in the Palm Beach Post, West Palm Beach, Florida, proof of publication was filed with the Trustees, and no objections to the sale were received.

Upon motion by Mr. Larson, seconded and adopted, the Trustees confirmed sale to the applicant at the appraised price of \$3,279.75 for the parcel.

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FRANKLIN COUNTY: File No. 543-19-253.12. On June 21, 1960, the Trustees considered application by First State Mortgage Company, riparian upland owner, with offer of \$20.00 per acre for 100 acres of submerged St. George Sound land adjacent to upland between U. S. Highway 98 and the Sound at Lanark Village, in Section 12, Township 7 South, Range 4 West, extending a maximum of 1,700 feet offshore within the bulkhead line fixed by the Board of County

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Commissioners on November 16, 1959, and approved by the Trustees on November 17, 1959. The Trustees stated that in event sale was made, applicant would be expected to provide suitable area committed and maintained for public beach and recreation purposes as well as assurance as to completion time for the development.

On the advertised sale date, August 9, the applicant was not present and had not submitted that which was requested by the Trustees. The Trustees' staff questioned the economic feasibility of filling to a safe, useable elevation in water four feet deep at mean low water. Action was deferred for applicant to be advised that further consideration was contingent on presentation within 30 days of acceptable plans for commitment of public area and assurance as to development completion time.

Meanwhile, thirty-nine objections in writing were filed, representing that objectors purchased lots in Lanark Village with the understanding that they would always have the water front view, which the proposed fill would obstruct; that the provision of a public beach would deprive the present owners and investors of the benefits of the present beach which was posted "Private beach for use of Lanark Village residents only"; that a development undertaken recently adjacent to Lanark Village was in bankruptcy and the proposed development might depreciate the value of all existing lots in the Village.

The Director advised that on September 12 another copy of the development plan was received, with an area marked for public beach, but no details of description, commitment or completion time or certificate of ownership had been furnished, and that objectors had been notified to be present at 2:30 for hearing.

Mr. Larson observed that the Trustees would have to hear the objectors, that the Board was concerned with the water depth indicated on the map and that the area applied for appeared excessive.

William J. Ryan, representing the applicant, urged confirmation of the sale, stating that all requirements had been complied with, and that the plan called for 60% of the application area to remain in waterways.

Upon motion duly adopted, the Trustees deferred action and directed Mr. Ferguson to advise all interested parties that consideration would be given at a later date when the Governor could be present.

#### APPLICATION TO PURCHASE LAND

MONROE COUNTY: File No. 736-44-253.12. A. L. Lancaster, abutting upland owner, represented by G. A. Crawshaw, offered the established price of \$300.00 per acre for a parcel of submerged land in the Straits of Florida in Section 8, Township 66 South, Range 38 East, at Plantation Key, 0.39 acre.

Upon motion by Mr. Larson, duly adopted, the Trustees authorized the parcel advertised for objections only.

#### BULKHEAD LINE

DUVAL COUNTY: The Director recommended approval of a bulkhead line established in accordance with provisions of Chapter 253.122, Florida Statutes, by the Board of County Commissioners of Duval County by Resolution adopted on August 22, 1960, being along the northerly open water line of Drummond or Water Pond Creek in Section 20, Township 1 South, Range 27 East, and being the westerly continuation of a bulkhead line formally approved by the Trustees on March 24, 1959. The county advised that there were no objections at the local hearing.

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Upon motion by Mr. Green, duly adopted, the Trustees formally approved the bulkhead line established by the Duval County Commissioners on August 22, 1960.

#### MISCELLANEOUS

ESCAMBIA COUNTY: Chairman Al Mortonson, Consulting Engineer H. S. Sanders of the firm Shelby Sanders & Associates, Jack Allen, Cecil Jones, and General Manager John C. Cowley of Santa Rosa Island Authority, presented report concerning public beach erosion along the northerly side of Santa Rosa Island fronting Santa Rosa Sound, in a zone of public beaches and lots being developed by lessees of the Authority on land conveyed to the county by the United States. Based on study and report of the Coastal Engineering Laboratory, the consulting engineers developed plans for the Authority for corrective and protective measures. Complete destruction of some beach frontage was described, and the Authority proposed a project for approval and financial participation by Trustees up to one-half of estimated cost of \$59,000.00, not including five-year interval re-nourishment of the beach recommended for the area.

Mr. Sanders stated that all of the beaches in question were public and would be maintained in perpetuity for use of the public, that above the beach area, about four years ago subdivisions were laid out and that in some places erosion had destroyed the beach and encroached into leased lots. The Trustees were assured that the erosion control project would be an investment in public beach facilities, and that even the small docks constructed by private lessees had been dedicated to public use and did not interfere with use of the beaches by the general public.

The Trustees agreed that upon the Authority furnishing all requirements to the satisfaction of the staff, the erosion control project should be worked out in the manner outlined by the Legislature, with details along the line of the project recently worked out for the City of Pompano Beach in Broward County.

Upon motion by Mr. Larson, seconded by Mr. Ervin, and adopted, the Trustees approved participation in the erosion control project of the Santa Rosa Island Authority in Escambia County under provisions of Chapter 57-791, Acts of 1957, and authorized contribution of Trustees' funds in the amount of one-half of the estimated cost of \$59,000.00, or \$29,500.00, the Authority to put up a like amount, with the understanding that the Director would make a first-hand survey of the site and the docks to determine that the facilities and the beaches to be restored are used by the public; that the Trustees would be guided by reports and periodic inspections by the Coastal Engineering Laboratory; all subject to working out of details of the formal agreement with the office of the Attorney General.

ESCAMBIA COUNTY: Santa Rosa Island Authority, on behalf of Escambia County, holder of title to 4,800 acres of Santa Rosa Island under deed from the United States dated January 15, 1947, made request for submerged land marginal to the platted beach along Santa Rosa Sound, being the sovereignty land within one hundred feet of the platted Northerly lot lines and street ends in El Vedado Subdivision, Villa Primero Subdivision, and Villa Segunda First Addition, all platted of record by the County and within the area administered by Santa Rosa Island Authority which leased platted lots. The marginal area was needed to permit correction of beach erosion by artificial nourishment and to accommodate erosion preventive measures. The United States deed provided that the 4,800 acres "shall be retained by the said Escambia County and be used by it for such purpose as it shall deem to be in the public interest or be leased by it from time to time in whole or in part ..." The attorney of the Authority, E. Dixie Beggs, had requested a deed, but the Director

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recommended dedication for public purposes for a nominal handling charge for areas up to 100 feet in some places, less in others, to create more uniform shore lines. John G. Cowley made further explanation to the Trustees.

The Trustees were not willing to convey sovereignty land for re-leasing to private interests, but were in accord as to dedication for public beach use, only.

Upon motion by Mr. Larson, duly adopted, the Trustees approved dedication of the areas for public purposes for a nominal handling charge, and referred preparation of the necessary instrument or instruments to the Attorney General.

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HIGHLANDS COUNTY: Central and Southern Florida Flood Control District requested (1) perpetual easement for right of way over a strip of reclaimed lands and submerged bottoms 350 feet in total width in unsurveyed Section 19, Township 36 South, Range 31 East, Highlands County, extending into Lake Istokpoga approximately 1,000 feet from the original ordinary high water mark; and (2) temporary spoil easements over a strip 110 feet in total width each side of the requested right of way, the temporary easements to expire December 31, 1962. It was explained that the District required the land for Canal C-41A, to extend right of way from upland into open waters of Lake Istokpoga.

Upon motion by Mr. Larson, duly adopted, the Trustees granted the perpetual easement and the temporary spoil easements to the Central and Southern Florida Flood Control District as requested.

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LAKE COUNTY: Florida Board of Parks and Historic Memorials requested dedication of Government Lot 11 in Section 25, containing 73.64 acres, and Government Lot 6 in Section 35, containing 525.70 acres, all in Township 17 South, Range 29 East, comprising a total of 599.34 acres, more or less, adjacent to the St. Johns River, which the Park Board staff had inspected and found suitable for State Park, wildlife and game preserve purposes.

Upon motion duly adopted, the Trustees approved dedication of the area for State Park, wildlife and game preserve use under the supervision and management of the Florida Board of Parks and Historic Memorials.

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PINELLAS COUNTY: On behalf of the United States, the City of Clearwater requested that the Trustees make available four perpetual spoil areas in Sections 16, 17 and 18 of Township 29 South, Range 15 East, Pinellas County, for use by the U. S. Corps of Engineers in the improvement and permanent maintenance of Little Pass extending from the Gulf of Mexico to Clearwater Harbor.

In addition, the Director recommended that the Trustees grant the right of way required by the United States over state owned sovereignty lands in the area of Little Pass, and that Trustees grant to the City of Clearwater the right of way required for a bridge over the pass.

Upon motion by Mr. Larson, seconded by Mr. Green, and adopted, the Trustees unanimously authorized that the areas required for spoil areas, rights of way, and bridge right of way over state-owned sovereignty lands be made available as requested.

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PINELLAS COUNTY: Upon motion by Mr. Larson, duly adopted, the Trustees authorized issuance of corrective deed to correct from 93.34 feet to 96.34 feet one call in the description in Trustees Quitclaim Deed No. 21796 dated May 8, 1958 to Arnold W. Higgins and wife, with no charge to be made to the grantee.

PINELLAS COUNTY: File No. 667-52-253.12. Alex D. Finch, attorney, representing Wimp, Inc., was present and requested reconsideration of action by the Trustees on July 26, 1960, requiring payment of the appraised price of \$5,000.00 per acre for a parcel of submerged land in St. Joseph Sound in Section 27, Township 28 South, Range 15 East, 2.17 acres adjacent to applicant's upland, and adjacent to the new City of Dunedin Marina. He emphasized that the firm went into the agreement to accommodate the city by providing an area for deposit of material removed in improvement of city's marina facility, that the firm would have to provide a seawall which would also benefit the city as a protection to the basin, and he called the appraisal unrealistic.

In view of the apparent worth of the property, which could be sold only to the upland owner, the enhancement to the upland, the arrangement to acquire fill from the city, and the policy of the Trustees over approximately the past four years to require appraisals and payment of appraised values except in those few instances where adjustment was proved justified, the Trustees declined to allow reduction in price and reaffirmed their action of July 26, 1960.

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STATE LAND OFFICE RECORDS: The Director advised that many files of the State Land Office, subject to daily use, were being kept in a room of the Commissioner of Agriculture under Section 19.13 Florida Statutes, in the Capitol, which room was also used by the Trustees' Auditor and his assistant. Since the room was required to be vacated in the future, he requested authority to rent suitable office space for the Trustees' Auditor, and that consideration be given to the acute need for placing the files for ready access by the staff.

Upon motion by Mr. Larson, duly adopted, the matter was referred to the Commissioner of Agriculture with authority to act for the Trustees.

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CAPITOL CENTER, WHITFIELD BUILDING: Florida Railroad and Public Utilities Commission requested funds from the Trustees for seven additional fire extinguishers installed in the Whitfield Building, Capitol Center, at a total cost of \$127.61, to meet regulations outlined by the Director of the State Fire Insurance Fund. Request explained that the Commission was without funds in hand or in prospect.

Upon motion by Mr. Green, duly adopted, the Trustees approved payment from the Trustees' funds of the amount of \$127.61 for the purpose requested.

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CAPITOL CENTER: Former Rose Property. Mr. Green requested authority for the Board of Commissioners of State Institutions to enter into contract with Forrest R. Coxen, Architect, for architectural site development of the former Rose property in the Capitol Center, including provision for offices for the Trustees.

Upon motion by Mr. Larson, seconded by Mr. Ervin, and duly adopted, the Trustees granted authority as requested.

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CAPITOL CENTER: House of Representatives Renovations. Reported for the Minutes was joint action taken on this date by the Board of Commissioners of State Institutions and the Trustees of Internal Improvement Fund authorizing contract with the low bidder, Albritton-Williams, Inc., covering Base Bid and Alternate for renovations of the House of Representatives Offices (see Minutes June 7 and 21, 1960), in the amount of \$288,400.00, payable from funds of the Trustees of the Internal Improvement Fund. It was so ordered.

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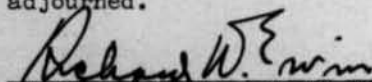
MARTIN BUILDING: Reported for the Minutes was joint action taken on this date by the Board of Commissioners of State Institutions and the Trustees of Internal Improvement Fund approving Lease-Purchase Agreement between the Trustees, the Board of Commissioners and the City of Tallahassee, covering sale (under authority of Sec. 270.27 F.S.) of the Martin Building (Wayne Square) by the State of Florida to the City of Tallahassee for the sum of \$600,000.00.

Copy of the Agreement filed with the Trustees set forth that proceeds from the sale would be applied toward the construction cost of a state office building on the block bounded by Gaines Street, Adams Street, Bloxham Street and Duval Street; that the Martin Building would be leased to the City until fully paid for; that the City would pay the purchase price of \$600,000.00, plus interest at 4½ percent, paying at this time \$10,000.00 and the balance in twenty annual installments; providing for insurance and maintenance of the building by the City; and certain other provisions. It was so ordered.

Upon motion duly adopted, the Trustees adjourned.

ATTEST:

  
DIRECTOR-SECRETARY

  
ATTORNEY GENERAL-ACTING CHAIRMAN

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Tallahassee, Florida  
September 20, 1960

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office, at the Capitol.

Present:	Richard W. Ervin	Attorney General
	J. Edwin Larson	Treasurer
	Lee Thompson	Commissioner of Agriculture

Van H. Ferguson      Director-Secretary

Upon motion by Mr. Larson, duly adopted, the Trustees approved the minutes of the meeting of September 13, 1960.

#### APPLICATIONS TO PURCHASE LAND

MARTIN COUNTY: File No. 688-43-253.12. Edith Segerstrom, abutting upland owner represented by Charles B. McAdam, offered the appraised price of \$350.00 per acre for a parcel of submerged land in the Indian River in Sections 22 and 23 of Township 37 South, Range 41 East, containing 0.70 acre within the established bulkhead line.

Motion was made by Mr. Larson, seconded and adopted, that the parcel be advertised for objections only based on the applicant's offer of the appraised price.

PALM BEACH COUNTY: File No. 709-50-253.12. On September 6 the Trustees considered the application by Samuel A. Manalan, riparian upland owner, for (a) disclaimer under Section 253.129 Florida Statutes to 0.037 of an acre in Section 15, Township 43 South, Range 43 East, and (b) purchase of 0.214 acre between established

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bulkhead line and present shore of Lake Worth in said Section 15, easterly and abutting the parcel in (a), in the City of West Palm Beach. Action was deferred for investigation concerning the area lakeward of Flagler Drive in front of 15th Street, and applicant furnished documentary evidence and showed that Flagler Drive was granted by easement in 1934 and that 15th Street, west of Flagler Drive, was granted to the city in 1946.

Upon motion by Mr. Larson, duly adopted, the Trustees authorized issuance of the disclaimer for \$10.00 charge and advertisement of the 0.214 acre parcel for objections only based on the appraised price of \$2,150.00 for the parcel.

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#### LEASES

STATE DRILLING LEASE NO. 1055: The Director advised that Lease No. 1055 dated August 15, 1956, held by Commonwealth Oil Company covering 8,000 acres in Dade County, was in default of payment of rental due August 15, 1960, that lessee had been notified by registered mail, and that the company was informed that cancellation of the lease would be recommended on this date.

Upon motion by Mr. Larson, duly adopted, the Trustees approved cancellation of Lease No. 1055 for default of payment of rental as required by the lease terms.

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CAPITOL CENTER: Request was made by Mrs. Ethel R. Hawes for one year extension of Lease No. 1063-A covering Lots 254 and 258, Original Plan of Tallahassee, which expired August 31, 1960. The Director recommended that lease of the capitol center property be extended for one year on the same terms, including rental of \$150.00 per month, maintenance of buildings, requirement of liability coverage, subject to 90-day cancellation clause.

Upon motion by Mr. Larson, seconded and adopted, the Trustees authorized one-year extension of lease to Mrs. Hawes, on the terms recommended by the Director.

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SARASOTA COUNTY: Frank K. Darst requested 20 to 99-year extension of his 10-year General Purpose Lease No. 762 expiring October 23, 1960, covering about one-half acre adjacent to the corporate limits of Sarasota, being a strip of upland 500 feet long between New Pass and a paved road, on City Island immediately north of the St. Armands-Lido island development, for which the current lease rental was \$52.00 per year.

Appraisal made in March 1960 reported the usable area to be the easterly 112 feet with 100 feet depth at west end and 225 feet on east end, zoned for single family residence purposes; that the area was vacant and the highest and best use was as a site for a marina for which rezoning appearing feasible since properties east and west of the parcel were so used; that value was \$18,800.00 for the parcel, and recommended reasonable rental was \$1,128.00 per year exclusive of taxes.

Motion was made by Mr. Larson, seconded and adopted, that Mr. Darst's request be denied, in view of the appraisal report.

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#### BULKHEAD LINE

PASCO COUNTY: Thomas Alexander, attorney, was present on behalf of Julius Whetstone, Trustee, owner of uplands in Sections 5 and 8, Township 25 South, Range 16 East, fronting the Gulf of Mexico, for which upland property the Board of County Commissioners of

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Pasco County on May 10, 1960, adopted a Resolution fixing a bulkhead line. The bulkhead line ranged from about 4,000 to 5,000 feet distant from shore, was 8,036.98 feet long, enclosing 831.5 acres of sovereignty land of which the northerly 167 acres was shown by the survey as part of a flat extending gulfward from the bulkhead line and exposed at low tide. A proposed dredging area extended 2,500 feet gulfward from the bulkhead line.

The Director stated that while the general conformation of the bulkhead line was good in reference to shoreline, he thought that it was too far out, that filling of submerged lands having a depth of 3½ feet at mean low water was not economically sound, and that the proposed dredging area was shown as 2,500 feet gulfward from the bulkhead line. No recommendation had been made by the Conservation Department, but it was reported that the area of mud flats was not conducive to fishing or navigable for boating. A reduction of the bulkhead line was indicated desirable, although it was noted that previous bulkhead line and sale had fixed a control point in line with the application.

Mr. Alexander stated that the bulkhead line was approved unanimously by the County Commissioners with no local objections from interested parties; that Pasco County required applicants to convey to the County for public beach and recreation facilities two percent of the purchase area including ten percent of the gulf frontage - filling to be done by the applicant; that the upland ownership consisted of about a mile of waterfront and one thousand acres of swampy undeveloped land practically inaccessible without deeper water and channels being dug; that the bulkhead line had received favorable report from the Coastal Engineering Laboratory; and that his clients could not prepare engineering plans until approval of the bulkhead line showed the area to be available for purchase.

The Trustees studied aerial photo and application map and expressed concern over extension allowed in previous sales and their unwillingness to allow applications which appeared excessive, even without local protests, until further study and presentation of development plans indicating public beach areas. It was suggested that the swampy upland area should be developed first, possibly by filling; that the bulkhead line might be brought approximately 1,000 feet closer to shore; that the application should cover only the area appearing most shallow on the aerial photo.

Upon motion duly adopted, the Trustees deferred action on the bulkhead line and requested the applicant to submit a plan for a reduced area, showing public beach and recreation location, for consideration by the Governor and other members.

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#### MISCELLANEOUS

BREVARD COUNTY: On behalf of the United States, the District Engineer made application for a right of way and perpetual spoil easements for a navigation channel in the Banana River in Townships 23 and 24 South, Range 37 East, in connection with the Cape Canaveral Auxiliary Air Force Base.

Upon motion by Mr. Larson, duly adopted, the Trustees granted right of way and perpetual spoil easements as requested.

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MONROE COUNTY: Chalmers R. Wilson, attorney, made request on behalf of Ralph E. Cornish as Trustee, purchaser under Contract No. 22265 covering submerged land at Windley Key, for a moratorium on contract payment due September 15 in the sum of \$4,479.69, to enable the purchaser to evaluate hurricane damage to his property. The purchaser had paid \$16,104.69 on the contract, and the account was in good standing.

Upon motion by Mr. Larson, duly adopted, the Trustees granted 45-day extension of time for payment due September 15, 1960, without penalty and without change in the schedule for subsequent payments.

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PALM BEACH COUNTY: The Director reported that immediately before the Board meeting his office advised that Senator Fred O. Dickinson had just made request by telephone for the Trustees to allow Richlands, Inc., to operate the Pelican Bay tract until the end of the current year since removal of improvements of Richlands did not have to be accomplished before November 9, 1960, and the parties to whom new lease had been confirmed could not operate the area until Richlands removed its improvements.

After discussion, motion was made and passed rejecting the proposal.

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SARASOTA COUNTY: Thomas T. K. Frelinghuysen, represented by Burket, Burket and Smith, applied for a disclaimer under the provisions of Section 253.129 Florida Statutes, to a parcel of land in Section 1, Township 37 South, Range 17 East, Siesta Key, containing 0.082 of an acre which was filled in 1943.

Upon motion by Mr. Larson, duly adopted, the Trustees authorized issuance of the disclaimer for \$10.00 handling charge.

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TRUSTEES' FUNDS: The Trustees heard reports from Mr. William Durden, Executive Assistant to the Governor, and Representative Bernie C. Papy of Monroe County on hurricane damage and emergency work necessary in Monroe County, for which the Board of County Commissioners urgently requested advance in the amount of \$50,000.00 to be available immediately, and that County Resolution would be forwarded. Mr. Durden stated that repayment to the Trustees was guaranteed from the State Road Department Secondary Road Fund. Mr. Papy explained that Monroe County would receive assistance from Civil Defense Agency funds, and that what was needed was immediate financial assistance to pay for labor.

Upon motion by Mr. Larson, seconded by Mr. Ervin and unanimously adopted by the Trustees present, the Trustees immediately advanced to the Board of County Commissioners of Monroe County \$50,000.00 from Trustees' funds for emergency rehabilitation work in Monroe County with the understanding that details of handling and of repayment from the State Road Department funds would be referred to the Governor's office.

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HURRICANE DAMAGE STUDY COMMITTEE: William L. Durden, Executive Assistant to Governor Collins, stated that the office had received much information regarding effects of hurricane "Donna" on coastal and inland areas and structures. The Trustees were requested to approve the appointment by the Governor, after consultation with other members of the Cabinet, of a Hurricane Damage Study Committee of three to seven members, architects and engineers, to study effects of the recent hurricane on dredging and filling, bulkhead lines, docks, buildings, regulations and restrictions on these and related subjects, and make reports to the Trustees on what kind of broad study should be made.

Without objection the Trustees approved the action proposed by Governor Collins, and expressed appreciation for the speedy steps he had taken to survey the damage and facilitate "clean up" activities in the wake of the hurricane.

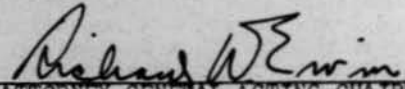
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SUBJECTS UNDER CHAPTER 18296

Motion was made by Mr. Larson, seconded and adopted, that the Trustees approve Report No. 766 listing one regular bid for sale of Murphy Act land.

Upon motion duly adopted, the Trustees adjourned.

  
ATTORNEY GENERAL-ACTING CHAIRMAN

ATTEST:   
DIRECTOR-SECRETARY

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Tallahassee, Florida  
October 4, 1960

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's office, in the Capital.

Present:	LeRoy Collins	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General

Van H. Ferguson	Director-Secretary
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LAND SALES

MANATEE COUNTY - File No. 653-41-253.12. On August 9 the Trustees considered application by Manatee Development Company, riparian upland owner, for purchase of 31.65 acres, more or less, of submerged land in Palma Sola Bay in Section 1, Township 35 South, Range 16 East, lying northerly of and abutting Government Lots 3 and 4 of said Section 1, within the established bulkhead line, for which the adjusted price of \$400.00 per acre was offered. The tract was advertised in the Bradenton Herald, proof of publication filed with the Trustees, and no objections to the sale were received.

A quorum not being present on the advertised sale date, September 27, the Director recommended confirmation of sale on this date.

Upon motion by Comptroller Green, duly adopted, the Trustees confirmed sale of the advertised tract to the Manatee Development Company, at \$400.00 per acre.

MONROE COUNTY - File No. 720-44-253.12. On August 16 the Trustees considered application by Clifford E. Smiley, abutting upland owner, for purchase of 2.05 acres, more or less, of submerged land in the Straits of Florida in Section 23, Township 63 South, Range 37 East, Windley Key, for which offer of the established price, \$425.00 per acre was made. The parcel was advertised in the Florida Keys Keynoter, Marathon, Florida, proof of publication was filed with the Trustees, and no objections to the sale were received.

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A quorum not being present on the advertised sale date, September 27, the Director recommended confirmation of sale on this date.

Upon motion duly adopted, the Trustees confirmed sale of the advertised parcel in favor of Mr. Smiley, at the price offered.

MONROE COUNTY - File No. 631-44-253.12. On July 26 the application of Ralph E. Lewis, et al, to purchase 59.21 acres of Long Key Bight submersed land between applicant's upland adjacent to U. S. Highway No.1 and applicant's ownership of southeast tip of Long Key was considered by the Trustees and was deferred to allow applicants and adjacent owner, Sidarlen Corporation, to try to develop arrangements for access through the Sidarlen upland.

Applicant's plans included causeway with two water openings, access road with air strip on the long center parcel, 125 foot wide open canal to be cut across west end of applicant's land to connect Long Key Bight with the Straits of Florida. Coastal Engineering Laboratory report was favorable, and Board of County Commissioners of Monroe County recommended the sale. The engineer reported that no dredging was contemplated in Long Key Bight which, except for the causeway and channels, would not be disturbed.

Objections were renewed by individuals and by the groups whose protests were registered at the July 26 meeting. Herbert L. Alley, representing Upper Keys Conservation Council and Florida Wildlife Federation, again explained the damage which they thought would be done to natural resources and sports fishing.

Information was that efforts to negotiate resulted in requirement by Sidarlen of a paved road 6650 feet long with rather high clearance fixed bridges, estimated to cost \$293,000.00 which was to be borne entirely by applicant - which the engineer considered excessive in relation to benefits to be derived by applicants.

The Director recommended that sale be confirmed subject to deed being held 30 days, to allow legal action if desired by objectors.

Lewis J. Hall, attorney for Sidarlen, asked for opportunity to negotiate further, but later in the meeting stated that further conferences appeared unnecessary in view of the fact that the applicants insisted on causeway, even if road on upland was made available.

T. K. Hodges, engineer, cited probable damage to a creek and to sports fishing, and explained objections of E. L. Layton, a riparian owner.

Attorney George Cates, representing the applicants, stated that conferences had fully explored possibilities for access, that it was unreasonable to expect his clients to bear the entire cost of the road which Sidarlen and Layton wanted, in addition to the bridges which would be required, and that the alternate route was just not feasible and delay was hurting the development prospects.

Letter from Monroe County Attorney advised that the county did not approve the alternate plan of Sidarlen Corporation in lieu of the causeway, and that the county was not in position to complete fill to 150 feet on an alternate route.

Representative Bernie C. Papy said that he and the county owned land in the area, that the county would assist with roads when areas were developed (but could not build these bridges), and that Sidarlen, having no improvement plans, was preventing a development economically important to Monroe County.

The Trustees deferred decision for two weeks, requested the Conservation Department to report at that time, and asked the applicants and objecting adjacent owner to get with the county and try in good faith to work out an acceptable solution, with Assistant Attorney General Ralph McLane joining in the conferences.

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PALM BEACH COUNTY - File No. 691-50-253.12. On August 9 the Trustees considered application by James C. McCurrach, abutting upland owner, for purchase of 2.60 acres, more or less, of submerged land in Lake Worth in Section 26, Township 44 South, Range 43 East, within the established bulkhead line for the Town of Palm Beach. Applicant offered the appraised price of \$3,480.00 for the parcel. The parcel was advertised in the Palm Beach Post, West Palm Beach, Florida, proof of publication was filed with the Trustees, and no objections to the sale were received.

A quorum not being present on the advertised sale date, September 27, the Director recommended confirmation of the sale on this date.

Upon motion duly adopted, the Trustees confirmed sale of the parcel to Mr. McCurrach at the appraised price.

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PINELLAS COUNTY - File No. 742-52-253.12. Ollie Mae Nevels, Trustee, abutting upland owner represented by Askew, Earle and Hawes, offered the appraised price of \$500.00 per acre for 12.39 acres, more or less, of submerged land in Boca Ciega Bay in Section 33, Township 30 South, Range 15 East, within an established bulkhead line. This application to purchase was approved and advertised by Pinellas County Water and Navigation Control Authority, and on August 11, 1960 the said Authority recommended approval of sale by the Trustees.

Upon motion duly adopted, the Trustees approved sale of the advertised parcel to the abutting upland owner, at the appraised price.

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#### APPLICATIONS TO PURCHASE

DADE COUNTY - File No. 748-13-253.12. Thomas O. Berryhill as Trustee and Frances K. Keister, abutting upland owners represented by Patton & Kanner, offered the appraised price of \$228.00 per acre for a tract of submerged land in Biscayne Bay in Section 14, Township 56 South, Range 40 East, containing 77.74 acres, more or less, within the established bulkhead line. Information was that there was now no access road to the parcel.

Upon motion duly adopted, the Trustees authorized advertisement of the parcel for objections only.

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VOLUSIA COUNTY - File No. 750-64-253.12. Guy T. Peshek and wife, abutting upland owners represented by Ossinsky and Krol, offered the appraised price of \$300.00 per acre, or in this instance \$100.00 minimum, for 0.1 acre of submerged land in the Halifax River in Section 3, Township 16 South, Range 33 East, City of Fort Orange, within the established bulkhead line.

Upon motion duly adopted, the Trustees authorized advertisement of the parcel for objections only.



HIGHLANDS COUNTY - File No. 719-28-253.36. R. L. Stokes and wife, abutting upland owners, offered the appraised price of \$200.00 per acre for a parcel of reclaimed lake bottom land in Lake Istokpoga comprising 2.3 acres in Section 20, Township 35 South, Range 31 East, lying between the government meander and the 39.0 foot mean sea level contour.

Central and Southern Florida Flood Control District waived objection to the sale, provided that conveyance be subject to right of the District to flood all or any part of the area so conveyed up to the 41.5 foot mean sea level contour.

Mr. Stokes also requested permit to dredge 1000 cubic yards of fill material at the standard rate of five cents per cubic yard from the lake bottom area riparian to his upland in the N $\frac{1}{2}$  of Section 20, Township 35 South, Range 31 East, to use for raising the elevation of his upland. Material necessary to raise elevation of the parcel applied for would be included in the permit. Game and Fresh Water Fish Commission waived objections to the dredging under usual permit terms.

Upon motion by Mr. Larson, duly adopted, the Trustees approved sale of the 2.3 acre parcel without advertisement, in accordance with policy of Trustees for sale of reclaimed lake bottom land to upland owners, subject to the request of Central and Southern Florida Flood Control District; also, the Trustees authorized issuance of permit to take 1000 cubic yards of fill material for a charge of \$50.00, for use on applicant's upland.

#### BULKHEAD LINES

PINELLAS COUNTY - Bulkhead Line and Sale - File 740-52-253.12. Referred to the Trustees for approval were bulkhead lines in Clearwater Harbor, Little Pass and the Gulf of Mexico offshore from the portion of Sand Key and adjacent submerged land owned by Ed C. Wright, established by Pinellas County Water and Navigation Control Authority on August 25, 1960, with recommendation to the Trustees of sale of 316.1 acres of submerged land within the bulkhead line to the adjacent upland owner. The tract was advertised by the County Authority for consideration by the Trustees on September 27, deferred until this date by reason of lack of a quorum on the advertised date. Transcript of county hearing disclosed that recommendation of approval of the lines and sale was made with the understanding that Mr. Wright should convey right of way for Clearwater-Belleair State Road or Causeway, shown 200 feet wide, at no cost; that dredging to be done in the improvement project for Intracoastal Waterway and Little Pass would create undesirable spoil islands; and that the bulkhead line would accommodate the spoil material, allow development of Sand Key, and stabilize an area of erosion and silting.

The Director recommended bulkhead lines and sale at the appraised price, not yet determined.

Present on behalf of the applicant were Ben Krentzman, attorney, Herbert Gee, engineer, and Cleveland C. Insko, City Commissioner of Clearwater. City resolution was filed in approval of the bulkhead lines and sale.

Objections by Harvey S. Plummer and other residents of Belleair Beach, Belleair, and other communities in the vicinity, urged reservation of public beach and park areas before sale of the Sand Key land. Attorney General Ervin said that objectors indicated willingness to withdraw protests provided public beach facilities were provided for. Although the Trustees relied on local authorities to recommend such facilities and city and county had not seen fit to request such reservations at this time, Mr. Ervin felt strongly that before issuance of deed, provision should be made for definite commitment of some part of the waterfront area for public uses.

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Governor Collins stated that the Trustees considered the commitment of some areas to public use as part of the consideration for relinquishing public lands. The Trustees recognized that the area was smaller than in certain other cases where dedication of public beaches had been required, that both the city and the county had approved the application, and that Mr. Wright had given right of way for the road.

Mr. Wright stated that development might be carried out by others, and while it was quite probable that under zoning regulations there would be provisions for beach, park, school sites, et cetera, it was not feasible to designate such areas now. At the request of Attorney General Ervin, he did agree to use his influence to secure areas for public purposes. Mr. Insko said that such things would surely be taken into consideration by city planning and zoning authorities in the future when application was made for annexation to the City of Clearwater.

Upon motion by Mr. Larson, adopted without objection, the Trustees formally approved the bulkhead lines established by Pinellas County Water and Navigation Control Authority on August 25, 1960; also, the Trustees agreed to approve sale of the 316.1 acres of submerged land applied for by Mr. Wright subject to agreement on appraised price and subject to any further recommendations which might be made regarding any reservations for public use, with the Attorney General reserving his approval of sale until assurance that an effort had been made to provide beach and other public areas.

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PINELLAS COUNTY - Bulkhead Line and Sale. File 739-52-253.12. Referred to the Trustees for approval was bulkhead line approximately 1400 feet offshore in Clearwater Harbor from a portion of Sand Key owned by Nora Mae Peabody et al, established by Pinellas County Water and Navigation Control Authority on August 25, 1960. The Authority also approved and recommended sale to the adjacent upland owners of 17.5 acres of submerged land within the bulkhead line with the understanding that the right of way would be granted without charge for Clearwater-Belleair road or causeway, and advertised the application for consideration by the Trustees on September 27, deferred until this date since there was not a quorum present on the advertised date. The bulkhead line was a continuation of line fixed for portion of Sand Key owned by Ed C. Wright (see preceding item). Application was recommended by the Director as accommodating spoil material from the Intracoastal Waterway project in the zone. Applicants offered to pay the appraised price, when determined.

Upon motion duly adopted, the Trustees formally approved the bulkhead line established by Pinellas County Water and Navigation Control Authority on August 25, 1960, on application by Nora Mae Peabody et al, upland owners, and the Trustees also agreed to approve sale of the submerged land to the applicants subject to agreement on appraised price.

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ESCAMBIA COUNTY - Referred to the Trustees for formal approval was a bulkhead line established by the City Council of the City of Pensacola by Resolution adopted on August 25, 1960. Transcript of local hearing was filed, showing protests were made based principally on possible loss of view from residential area near but not riparian to the waterfront, and that the city commissioners approved the line on vote of seven to three.

The bulkhead line was offshore from upland property of John B. Hoag, lying east of mouth of Bayou Texar at its convergence with Escambia and Pensacola Bays, easterly of new channel east of filled approach to bridges of U. S. Highway 98, lying between the Bay and the L & N Railroad. The Coastal Engineering Laboratory report, made for the applicant, indicated that a proposed fill of approximately 43 acres would not create erosion or tidal

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problems to the channel for Bayou Texar or the existing beach. Mr. Hoag exhibited an engineered plan for development of a "gateway" area with hotel, motel and other facilities attractive to tourists, including public beach, which appeared sound from the standpoint of engineering feasibility with no adverse tidal effects. He said that the beach was now inaccessible, that he and other owners had worked several years on the improvement plan, and that protestants were a considerable distance from the site.

On behalf of himself and other property owners, E. Dixie Beggs voiced vigorous protests, citing the differences among members of the local planning Board and City Commission, petition signed by hundreds of objectors, photographs showing the natural shoreline. Other protests were filed with the Trustees.

The Board was greatly concerned about a "piece-meal" bulkhead line for an isolated area jutting out in Pensacola Bay which might set a precedent for filling activity not yet begun there, and about the proposed commercial development protested by many residential owners. The Governor pointed out that fixing of bulkhead lines should serve to reshape shorelines, make swampy and mangrove areas usable, and other purposes consistent with the public interest, rather than just to create additional land for private use.

Upon motion by Mr. Larson, seconded by Mr. Green and unanimously adopted, the Trustees took the bulkhead line under advisement for further consideration at a later date.

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PINELLAS COUNTY - Pinellas County Water and Navigation Control Authority referred to the Trustees for approval a bulkhead line established on January 28, 1960, and on February 25, 1960, at the request of the Board of Commissioners of the City of St. Petersburg Beach. The bulkhead line was around said city and in the following sections:

Section 31, in	Township 31 South, Range 16 East
Sections 6,7,18,19,	Township 32 South, Range 16 East
Sections 25,36, in	Township 31 South, Range 15 East
Section 1, in	Township 32 South, Range 15 East

Certified excerpts of the Authority's minutes disclosed that on January 28, certain areas of the city line were excepted, but that on February 25 the excepted areas were also approved by the Authority, and both portions were recommended to the Trustees.

The Trustees examined the county bulkhead maps and noted projecting extensions, some of which provided for fills already in place.

Upon motion duly adopted, the Trustees formally approved the bulkhead line around the City of St. Petersburg Beach as established by Pinellas County Water and Navigation Control Authority on January 28 and February 25, 1960.

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PINELLAS COUNTY - Referred to the Trustees for formal approval was a portion of the county-wide bulkhead line established by Pinellas County Water and Navigation Control Authority on March 10, 1960, extending from west side of Cross Bayou Canal to the south city limits of Clearwater in Old Tampa Bay, Pinellas County. Certified excerpt of the Authority's minutes showed no local objections to the line, and upon examination of the map the Trustees stated that it was good, basically conforming to the shoreline.

Upon motion duly adopted, the Trustees formally approved the bulkhead line established on March 10, 1960, by Pinellas County



Water and Navigation Control Authority as shown on the County Bulkhead Map, Segment No. 4, Sheet No. 8 of the county-wide line.

PINELLAS COUNTY - Referred to the Trustees by Pinellas County Water and Navigation Control Authority were three bulkhead lines which, taken together, were shown on the county bulkhead map to provide an over-all plan for the west shore of Tampa Bay at Safety Harbor and the Cooper's Bayou area. The first line, at Safety Harbor, adopted by the Pinellas Authority on April 14, 1960, and June 23, 1960, connected with a second line fixed for the zone south and adjacent to the city (being in the county) which was rejected by Trustees on July 7, 1959 by reason of indicated blocking of the mouth of Cooper's Bayou. The third line was in the City of Clearwater, fixed by the Pinellas Authority on December 10, 1959 for the zone between the second line and Courtney Campbell Causeway.

The City of Safety Harbor by letter from Mayor S. Z. Douglas and City Attorney George Owens, present at the meeting, objected to that part of the first line which extended more than 500 feet from shore.

The Director advised that as to the second line, having been once rejected, the County Authority should re-submit the line for the zone between the two municipalities for approval by the Trustees.

Speaking in favor of the bulkhead lines as established by the county and urging approval by the Trustees were the following: Representative Robert T. Mann, who contended that the lines would provide better utilization of property and create recreational areas; Cleveland C. Insco, City Commissioner of Clearwater; W. H. Wolf, attorney for property owners in Safety Harbor around Alligator Lake who wished to improve mangrove areas; and C. A. Peterson, Consulting Engineer.

After examination of the maps and considerable discussion, the Trustees expressed disapproval of many portions of the bulkhead lines, especially the extension beyond 500 feet protested by Safety Harbor, the portions jutting out in what appeared to be unreasonable extensions, and that portion extending out along the Courtney Campbell Causeway.

Upon motion unanimously adopted, the Trustees rejected the entire bulkhead line proposed for the three areas, without prejudice to the submission of another line which might better conform to the public interest and take care of those objectionable features, and the Board suggested adoption of the 500-foot plan for the City of Safety Harbor, rounding out the shoreline without unreasonable out-croppings, basically conforming to mangrove masses. The Governor suggested that the county might work with the Trustees' staff toward a better understanding of the objections and preparation of a new bulkhead line for presentation to the Trustees at a later date.

#### LEASES

STATE DRILLING LEASE NO. 224-B. The California Company reported commencement of drilling operations for an exploratory test well North 88°21'20" West 23,285.5 feet from U.S.C. & G. Station "Spanish 1934", being in the Gulf of Mexico west of LaCosta Island, Lee County, and within Drilling Block 7 of Lease 224-B. The drilling was under operating agreement with Coastal Petroleum Company, lessee, approved by the Trustees August 30, 1955. California Company designated 1280 acres (equivalent of two sections) to which the well should apply, the well being in the center of the 1280-acre rectangle.

Without objection, the Trustees approved and accepted the report as compliance with requirement of Paragraph 3 of Lease No. 224-B.

LEON AND GADSDEN COUNTIES - W. H. Brundyge, holder of sand lease No. 1061 which expired August 31, 1960, requested one-year extension. The lease covered that part of Ochlockonee River bottom in SE $\frac{1}{4}$  of Section 13, Township 2 North, Range 2 West, at 15¢ per cubic yard, monthly minimum \$20.00, with requirement of \$500.00 surety bond.

Upon motion duly adopted, the Trustees approved one-year extension on the same terms.

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EASEMENTS; PERMITS

GLADES COUNTY - In meeting August 30, 1960, the Trustees authorized issuance of a perpetual easement to Central and Southern Florida Flood Control District for right of way of Levee L-50 over the unsurveyed lake bottoms of Lake Okeechobee in Township 40 South, Range 32 East. Due to a subsequent revision in alignment of the south line of the right of way, the District requested perpetual easement over and across a 1.56-acre area southerly of the original southern boundary.

Upon motion duly adopted, the Trustees granted perpetual easement to Central and Southern Florida Flood Control District over the additional parcel as requested.

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SARASOTA COUNTY - On February 16, 1960, the Trustees approved perpetual easements in favor of West Coast Inland Navigation District covering spoil areas in the open waters of Charlotte and Lee Counties, inadvertently omitting areas in Sarasota County.

Upon motion duly adopted, the Trustees approved perpetual easements covering spoil areas in the open waters of Sarasota County for the purposes of said District.

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DADE COUNTY - Miami Beach Anglers and Boating Club, Inc., holder of permit No. 1350 issued May 13, 1960, for construction of an artificial reef in the Atlantic Ocean north of Whistle Buoy No. 2, advised that construction was delayed, that U. S. Engineers had approved a location south of the buoy, and that Dade County Parks Department proposed to handle the construction and permit should be issued to the county. Revised location was approved by State Board of Conservation.

Without objection, the Trustees approved issuance of the revised permit to the Board of County Commissioners of Dade County, with clauses vacating and superseding the original permit and without requirement of additional fees.

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DUVAL COUNTY - S. C. Henderson and Son, Inc., applied for State permit to construct a commercial marina to extend 310 feet into Julington Creek adjacent to State Road 13 near Mandarin. Objections were filed with the Trustees citing that noise, damage to view, stagnant water, silt and debris would result, and that residents considered the proposed commercial enterprise would be obnoxious to residents in the area.

Steve Henderson, representing the applicant, informed the Board that the property was zoned for business with a fish camp and restaurant in the vicinity, the creek was nearly one-fourth mile wide, and that the proposed marina would be a credit to the property and was needed to accommodate boats.

Upon motion by Mr. Larson, duly adopted, the Trustees approved issuance of permit for the marina at standard charge of \$100.00, subject to withholding delivery for 30 days to allow objectors to take legal action if they desired.

HILLSBOROUGH COUNTY - Upon motion duly adopted, the Trustees authorized issuance of permit to Freeport Sulphur Company at the standard charge of \$100.00, for construction of commercial or industrial dock at its property on Tampa Bay within the established U. S. pierhead line, the Director reporting that the City of Tampa and Hillsborough County had approved, and that the U. S. Engineers had waived requirement of permit.

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PINELLAS COUNTY - The Director recommended authorization be given for issuance of State Permits for commercial docks or marinas to the following five applicants, Pinellas County Water and Navigation Control Authority having issued permits and no objections being filed:

1. Walter K. Prior, applicant, owner of upland in Lot 2 of Prior's Replat, Section 11, Township 28 South, Range 15 East, near Ozona at Minnow Creek;
2. Carl Brenner, applicant, owner of upland lots 37-39 in Florida Riviera Plat 5, Section 17, Township 30 South, Range 17 East, at Masters Bayou;
3. George F. Saunders, applicant, owner of Lot 1 of Prior's Replat, at Minnow Creek;
4. H. W. Hause, applicant, owner of upland West 5 feet of Lot 10 and Lot 11, Block 1, North Shore Park Section in Clearwater Harbor;
5. Nick Gonatos, applicant, owner of upland Lots 3 and 4 Block "C" of Barbour Morrow Subdivision, Clearwater Harbor.

Without objection, the Trustees authorized issuance of permits for commercial docks at the standard fee of \$100.00 each, to the five applicants.

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PINELLAS COUNTY - File No. 569-52-253.124. Upon motion duly adopted, the Trustees formally approved Permit No. DF107 issued by the Pinellas County Water and Navigation Control Authority to Baywood Associates, Ltd, to fill certain submerged bottoms conveyed by the Trustees under purchase contract No. 22443 (569-52) dated April 11, 1960.

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#### MISCELLANEOUS

BROWARD COUNTY - John W. Douglas, attorney on behalf of the present record owner, Antonio DeSimone and wife, applied for supplemental deed covering Tract 2 Tier 8 Newman's Survey, Township 50 South, Range 41 East, Broward County, to furnish a more correct and complete description of the parcel conveyed under Chapter 14717 Acts of 1931 by Deed No. 27/28-B-42 dated November 10, 1944, to Tanger Investment Company, which showed only Section 13 when part of Tract 2 Tier 8 actually was in Section 24.

Upon motion unanimously adopted, the Trustees approved issuance of supplemental deed at a cost of \$10.00.

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OKEECHOBEE COUNTY - Upon motion unanimously adopted, the Trustees approved issuance at no charge of corrective deed to correct Trustees Deed No. 21498 issued February 19, 1957 which conveyed certain lands in Section 21, Township 37 South, Range 35 East. The lands were erroneously referred to as being in "Sloan's Subdivision" which is actually a subdivision in Section 20.

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ST. LUCIE COUNTY - The Beach Erosion District of St. Lucie County, with the Board of County Commissioners and City Commission of Fort Pierce, requested date for presentation to the Trustees of proposal for shore and beach erosion study with participation in the cost being sought from Trustees funds.

October 18th was suggested, and the Director was asked to make arrangements and notify the applicants of a suitable time for presentation of their matter.

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TRUSTEES FUNDS - U. S. Geological Survey Topographical Mapping. Presented for approval was request for contribution of \$10,624.83 to the cooperative mapping program under authority of Section 373.012 Florida Statutes, which directed Trustees to make available \$10,000.00 annually for topographical mapping in the state by the U. S. Geological Survey on a matching basis, the State Road Department and the Central and Southern Florida Flood Control District also participating in the program. The Director explained that payment was made on basis of work actually done, and that the expenditure by the Trustees for 1957-59 was \$734.84 less than the amount authorized by Statute.

Upon motion unanimously adopted, the Trustees authorized participation in the sum of \$10,624.83 for the topographical mapping work by U. S. Geological Survey.

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TRUSTEES FUNDS- Florida State Board of Parks and Historic Memorials, by Chairman John Fite Robertson, reported extensive storm damage to Collier-Seminole, Myakka River, Highlands Hammock, Hillsborough River and Tomoka State Parks, and requested grant of \$21,000.00 from Trustees for emergency repairs.

Inasmuch as funds were available from the Emergency Appropriation, Governor Collins suggested that the Trustees funds not be called on, but that the matter be referred to Budget Director Harry Smith for presentation to the State Budget Commission with request for release from the Emergency Appropriation to the Park Board.

It was so ordered.

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CAPITOL CENTER - Coordinator of State Institutions transmitted to Trustees office copy of report from the appraiser to the Attorney General recommending settlement with A. Bernard Byrd in the sum of \$112,500.00 for the property on Monroe Street between Gaines and Madison Streets, described as Lots 130 and 131 and West 50 feet of Lots 129 and 132, City of Tallahassee. Information was that the Governor, Attorney General and State Treasurer had approved the purchase.

Upon motion by Mr. Green, duly adopted, the Trustees authorized purchase of the Byrd property for the amount stated, and directed that the State Road Department proceed as soon as possible with clearing the lots.

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TRUSTEES FUNDS - Capital Repairs; Alterations. Terry Lee, Coordinator of Board of Commissioners of State Institutions, presented the following two matters:

(a) The waterproofing work was done as authorized by Trustees on March 1, 1960, with an expenditure of less than the \$2500.00. However, there was still flooding on ground floor offices in the northeast corner of the north wing of the capitol building, affecting offices of the Attorney General and State Treasurer, for which an additional amount of approximately \$500.00 was estimated to be required for further waterproofing work.

Upon motion duly adopted, the Trustees, on the recommendation of Mr. Lee, authorized expenditure from Trustees funds of up to \$3000.00, including the amount authorized on March 1, 1960, plus an additional sum up to \$500.00, for waterproofing work under supervision of the Construction Division.

(b) Authority was requested to contract with architects for services in connection with renovation of office space on the north side of the main floor of the Capitol building, across from offices of the Commissioner of Agriculture, which will be needed for additional space for the Department of Agriculture.

Without objection, the Trustees authorized the Coordinator of Board of Commissioners of State Institutions to contract for architectural services for the requested work.

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TRUSTEES MINUTES - July 1, 1958 to June 30, 1960. Request was made for authorization to invite local bids for printing and binding eighty copies of the 1958-1960 Minutes, reproduction by photo-lithographic process, ten copies full sheepskin binding and balance paper cover stock uniform with preceding volume.

Also, consideration was requested for procurement of twenty additional copies of Volume 31, 1956-1958 Minutes, since the printer had preserved the original plates and the total of sixty copies purchased in 1959 did not provide a sufficient number to reserve copies for future needs.

Upon motion duly adopted, the Trustees authorized invitation of local bids for printing the 1958-1960 Minutes as requested; also, the Board authorized the Director to secure additional copies of Volume 31, subject to agreement on price.

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TRUSTEES OFFICE - Removal of large quantities of old files and records of the Trustees from the Capitol sub-basement was necessary for planned remodeling for occupancy. Since the material should be sorted, classified or indexed, and a considerable part discarded, requiring the services of a person acquainted with past operations of the office, the Director recommended that Miss Jentye Dedge be employed to evaluate the material and do the work. Under state retirement, she would have to forfeit her retirement benefits during the period so employed, the estimated time being one to one and one-half months full time, with a helper which she would employ, and the salary of \$750.00 was suggested as commensurate with the work involved and its value to the Trustees.

Also, since transfer of the old files to the present office on Gaines Street was impracticable by reason of lack of space and structural weakness of the wood interior, rental was suggested of adequate space for deposit, sorting and classification of the old files.

Upon motion duly adopted, the Trustees approved employment of Miss Dedge for the time required at the recommended salary, and Comptroller Green suggested that Mr. Ferguson look into the possibility of suitable space in the Carlton Building for sorting and storage.

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SUBJECTS UNDER CHAPTER 18296

DADE COUNTY - Upon motion duly adopted, the Trustees authorized issuance of corrective deed naming Bessemer Properties, Inc., as grantee of the same parcel conveyed by Dade Deed No.105 dated July 17, 1940 to New Miami Shores Corporation, which firm had merged with several other corporations under the corporate name of Bessemer Properties, Inc., prior to issuance of the Murphy Act deed in 1940. Handling charge of \$10.00 was approved.

CLAY COUNTY - Armory Board of State of Florida requested conveyance under Chapter 21684, Acts of 1943, of all land described in the lease to the Armory Board (Camp Blanding area) dated December 31, 1940, except NW $\frac{1}{4}$ , SW $\frac{1}{4}$  except SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of SW $\frac{1}{4}$ , NE $\frac{1}{4}$  except part embraced in Peek's Subdivision, in Section 22, Township 6 South, Range 23 East, Clay County.

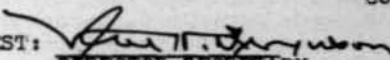
The portions excepted were in Kingsley Lake, the Armory Board was agreeable to exception of the submerged land, and recommendation was that the portions excepted be withdrawn from sale indefinitely.

Upon motion duly adopted, the Trustees approved indefinite withdrawal from sale of the exceptions from the conveyance, being in Kingsley Lake, and the Board authorized conveyance of the remainder of the area which was under the lease, provided that the land should be used only for Armory Board military purposes and with authority for that Board to make the premises available to United States for military purposes in national emergency, with appropriate clause to prevent disposition of the lands other than for stated purposes, and with provision for reversion in event of failure to use for specified purposes, with the approval of the Attorney General as to the instrument of conveyance.

OKEECHOBEE COUNTY - Upon motion duly adopted, the Trustees granted easement for highway purposes to the State Road Department, over Lot 5, Block 30-A, New Okeechobee Heights, Section "A" and Lot 1, Block 38, New Okeechobee Heights, Granada Circle, both lying within 60 feet of centerline of State Road 700, Section 9109-2201.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR-CHAIRMAN

ATTEST:   
DIRECTOR-SECRETARY

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Tallahassee, Florida  
October 11, 1960

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office, in the Capitol.

Present:	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Lee Thompson	Commissioner of Agriculture

Van H. Ferguson      Director-Secretary

#### LAND SALES

DADE COUNTY - File No. 714-13-253.12. On August 23, 1960, the Trustees authorized advertisement for abjections only upon application by Marshall C. Wiseheart as Trustee, riparian upland owner, for purchase of a parcel of Biscayne Bay submerged land in Sections 2 and 11, Township 56 South, Range 40 East, containing 105 acres, more or less, within the established bulkhead line, for which offer of the appraised price of \$228.00 per acre was made.

10-11-60



The tract was advertised in The Miami Herald, proof of publication filed with the Trustees, and no objections filed. However, the State Road Department requested reservation of right of way 100 feet wide for extension of Tenalla Boulevard, a platted road.

Upon motion duly adopted, the Trustees confirmed sale to applicant at the appraised price, subject to reservation of the 100-foot strip for State Road and acceptance of title by applicant with such reservation.

FRANKLIN COUNTY - File No. 543-19-253.12. Reconsidered on this date was application of First State Mortgage Company to purchase 100 acres, more or less, of submerged St. George Sound land adjacent to applicant's upland lying between U. S. Highway 98 and the Sound, at Lanark Village, in Section 12, Township 7 South, Range 4 West, within bulkhead line 1700 feet offshore fixed by Franklin County November 16 and approved by Trustees November 17, 1959. The application was considered on June 21, 1960, and on August 9 was deferred for applicant to present acceptable plans for commitment of a public area and assurance as to completion time, and on September 13, 1960 objections from thirty-nine property owners were reviewed and action deferred for consideration with the Governor present.

Applicant's attorney, Hollis Rinehart, had requested consideration on this date with notices to be distributed by him. However, only one protest had been withdrawn and Director consented to place on the agenda with understanding that action might be deferred if all objections were not withdrawn, since he had agreed to notify protestants. Recommendation was made that the applicants file assurances as requested by Lanark Village owners, including seven points - larger beach area, parking area, channel and bridges, and others.

A large number of objectors was present, including W. E. Wilkins, S. C. Sundvik, Leo Mallen, Mr. Stringer, and Mesdames B. Lane, F. McGetrick, Sievert, L. Cobb, J. Spratley, L. Simpson, R. Hutchinson, and it was brought out that Lanark Village developers had not lived up to statements in their advertising brochures, purchasers legally had no riparian rights as their deeds contained no provision for easement or access to the water, that removal of shoreline one-fourth mile out would depreciate value of their property, that the company still had undeveloped upland to utilize without building up the submerged land in front of the Village, and the greatest objection was to damage of view and that elderly residents would have a greater distance to walk to enjoy the beach, close proximity to which was a reason for buying property in the retirement village. Due to short notice of this meeting, it was stated that some objectors had not heard and were not allowed time to be present.

After being told that although residents might have moral rights, legally they were not riparian owners, Messrs. Wilkins and Sundvik agreed that an improved beach on the filled land, dedicated and maintained for Lanark Village residents, would be desirable. They explained that Mr. Ryan had attended a called meeting in the Village to enlighten residents on development plans, and that in some ways the new development would be good for the community.

Hollis Rinehart, attorney, and William J. Ryan, for First State Mortgage Company, explained the plans for improvement with special reference to the poor condition of the present beach and proposed deepening, cleaning out and building up a good sand beach dedicated to use of Lanark Village. They pointed out that elevation of proposed fill and new houses would not damage view from higher elevation of the present houses, that the plan design was based on marine engineering to prevent silt and erosion, that there would be no further extension in the future, that property values would be enhanced by the new development, and they agreed to have placed in the Trustees' deed assurances as to those things recommended by the Director. They urged approval of the sale, as they felt all valid objections had been resolved.

10-11-60

Mr. Larson suggested postponement, as indications were that all interested parties might not have received notice of this hearing and that the Village Association might wish to discuss the matter further. He and Mr. Thompson expressed sympathy for the people who, because of misleading advertising, had thought they had riparian rights, and it was the general feeling of the Trustees that beach conditions would be better under the proposed plans, that there had been enough discussion, and that the majority of the objectors had been satisfied with the assurances to be placed as conditions in the deed. Mr. Ervin said that the real potential of Lanark Village had not been reached with the present type of waterfront, and that the objectors had helped the Board to get concessions from the developer which would be guaranteed by incorporation in the deed.

The Board directed, and the applicant agreed, that the following assurances would be legally guaranteed by incorporation in the Trustees' deed: (1) that a deep, accessible channel would be provided, and that filling on west side of the 100-acre area would be cut back to 100 feet from adjacent ownership to allow for channel without infringing on riparian rights of adjacent owner; (2) maintenance of beach area by purchaser until a municipality was incorporated to assume maintenance; (3) that a larger parking area would be provided, outside of the beach area; (4) 1000 ft. beach area would be provided - filled and perpetually dedicated for all of Lanark Village residents and their guests; (5) that two bridges with 4 1/2 foot vertical and 18 foot horizontal minimum clearances above mean high water would be provided at the locations identified on this date on the development plan by engineer Max W. Kilbourne; (6) that discharge of sewage would be properly taken care of; (7) that three years from date of deed would be fixed as reasonable completion time for the proposed development.

Governor Collins' wishes in the matter were presented by Executive Assistant William Durden as follows: That the people in the Village now have no legal riparian rights to the beach and that the change would give them a guaranteed and improved beach restricted and maintained for use of Lanark Village, that no further extensions should be allowed beyond the application area; and that since the developers had made reasonable efforts to comply with conditions recommended by the Trustees he would vote affirmatively and ratify action if taken by the Board on this date.

Upon motion by Mr. Green, adopted without objection, subject to the Governor's final approval the Trustees overruled objections and confirmed sale of the advertised submerged land at the fixed price of \$20.00 per acre, subject to incorporation into the deed as conditions of conveyance all of the seven points mentioned above as assurances to be legally guaranteed, as recommended by the Director and agreed to by the applicant on this date. Also, the interested parties present were advised that they or their representatives would be allowed to examine the deed within a reasonable period of time before delivery of deed to purchaser.

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HILLSBOROUGH COUNTY - File No. 671-29-253.12. On June 28 the Trustees considered application by C. E. Mendez, abutting upland owner, to purchase a parcel of submerged and tidal Tampa Bay land in Sections 3 and 4, Township 31 South, Range 19 East, west of SW 1/4 of SW 1/4 of Section 3, 163.2 acres landward of the established bulkhead line which ended at the north boundary of the tract. Offer of the appraised price of \$100.00 per acre was made. The land was advertised in Tampa Tribune, and proof of publication filed with the Trustees.

The surveyed line of mean high water disclosed only about two acres of true upland in said SW 1/4 of SW 1/4, the U. S. meander line being more than 1000 feet bayward from line of mean high water which crossed the SE 1/4 of SW 1/4 owned by John Kushmer. The Kushmer

and Mendez "forties" were held by conveyance from a common predecessor in record title. Trustees' staff held that part of the area sought by Mendez should be allocated to Kushmer by reason of location of the line of mean high water, that burden of proof should be upon applicant Mendez, and that the county should extend the bulkhead line to the north before equitable allocation could be made for either. Evaluation of the application appeared to demand determination of (1) whether the U. S. survey and patent and state sale of the forties were in gross error, including sovereignty lands of the state not subject to patent nor sale by Trustees in 1881; (2) whether land existed in 1845 in the zone now tidal or open water, which gradually eroded away since 1881 (becoming sovereignty in character and title) or was torn away as by hurricane (under which private ownership might survive in the submerged state). The Attorney General, in advising the staff to advertise under authorization by Trustees June 28, stated that factual data was insufficient and Mr. Kushmer's attorney was advised to examine the deed from predecessor in title for special provisions which might clarify question of riparian rights.

Director recommended deferment without prejudice, until judicial determination was made concerning rights of the applicant and Mr. Kushmer, or until the parties agreed in a formal instrument of record, and until the county submitted the next unit of bulkhead line. He felt that riparian rights should attach at the high water mark and not out at the theoretical meander.

Attorney General Ervin called on Irving Wheeler, an assistant in his office, for report, which brought out that even if the land actually was sovereignty and not subject to sale by the state in 1881, recent Supreme Court decision held that in such cases the state could not come back and deny the deed; that the question of the intent of the predecessor in title should be clarified to settle the question of riparian rights.

Speaking for the applicant, attorneys John M. Allison and Lewis H. Hill, Jr., stated that there was no opposition to the bulkhead line, that the Mendez and Tampa Electric Company applications were planned and presented jointly, with some of the dredging to be done in conjunction, all being in an industrial area, and they exhibited copy of the Dawkins (predecessor) deed and affidavit.

It was moved and adopted that in view of the law and history of the matter, the sovereignty land would be sold to Mr. Mendez and the deed held for 30 days so that Mr. Kushmer could enter litigation if desired.

When the Trustees reconvened at the advertised time, 2:30 P.M., Mr. Kushmer and his attorney John F. Turbiville, of the office of James M. McEwen, presented objections to the proposed sale, charging that it would cut off and destroy Kushmer's riparian rights in the area, and asked the Trustees to make equitable adjustment of the rights of the two owners.

After further discussion, in view of the fact that objector was present at the advertised time for consideration of the matter, the action of the morning was rescinded on motion of Mr. Thompson, seconded by Mr. Green, and adopted; and decision was deferred without prejudice to allow negotiation between the two parties, if desired.

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MONROE COUNTY - File No. 527-44-253.12. On August 23 the Trustees reviewed request for new deed to Hudgins and Alfonso, Inc., and Charles C. Matheny, present record owners of submerged land in the Straits of Florida conveyed in Trustees Deed No. 19808 in 1954, and also a parcel advertised in 1959, which

10-11-60



were not accurately located by former surveys, and the parcel deeded had been reconveyed to the Trustees. Advertisement by correct description was authorized, and a parcel of submerged land in the Straits of Florida in Section 2, Township 67 South, Range 28 East, Crab Key and Money Key, containing 12.79 acres, more or less, was advertised in The Florida Keynoter, Marathon, Florida, and no objections were received.

Upon motion by Mr. Larson, duly adopted, the Trustees approved issuance of deed showing correct perimeter description of the lands previously intended to be conveyed.

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MONROE COUNTY - File No. 646-44-253.12. On August 23 the Trustees considered application by Charles Heil, riparian upland owner, for purchase of three parcels of Refuge Bay submerged land at No Name and Refuge Key in Section 19, Township 66 South, Range 30 East, with offer of appraised value of \$200.00 per acre for parcels 1 and 2 aggregating 7.5 acres, and \$300.00 per acre for parcel 2 containing 12.4 acres. The total area of 19.9 acres was advertised for objections in The Florida Keynoter, Marathon, Florida, and proof of publication filed with the Trustees.

Fred Yoars was present to protest sale, but upon examination of application map, he withdrew his objection.

Upon motion duly adopted, the Trustees confirmed sale of the advertised land to Mr. Heil, at the price offered.

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MONROE COUNTY- File No. 722-44-253.12. On August 16 the Trustees authorized advertisement, subject to cut back and revision of the application, upon offer of the established price of \$300.00 per acre by Catherine F. Koch, riparian upland owner, for submerged Straits of Florida land in Sections 18 and 19, Township 63 South, Range 38 East, Plantation Key. The original area was reshaped on advice of the Trustees staff, and 2.32 acres was advertised in the Key West Citizen, proof of publication filed with the Trustees, and no protests to the sale were received.

Upon motion duly adopted, the Trustees confirmed sale of the advertised land to the applicant, at the established price.

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MONROE COUNTY - File No. 723-44-253.12. On August 23 the Trustees considered application of Thomas R. Cadenhead, Jr., riparian upland owner, with offer of the established price of \$350.00 per acre for a parcel of submerged land in the Straits of Florida in Section 6, Township 62 South, Range 39 East, Key Largo, containing 0.72 of an acre, more or less. The parcel was advertised in the Key West Citizen, proof of publication filed with the Trustees, and no protests to the sale were received.

Upon motion duly adopted, the Trustees confirmed sale of the parcel advertised in favor of the riparian owner, at the established price.

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MONROE COUNTY - File No. 726-44-253.12. On August 30 the Trustees considered application by B. B. Leigh and wife, riparian upland owners, with offer of the established price of \$300.00 per acre for a parcel of submerged land in Florida Bay in Section 18, Township 63 South, Range 38 East, 0.36 acre, more or less. The parcel was advertised in the Key West Citizen, and proof of publication filed with the Trustees.

Objection filed by H. J. McManigal was based on possible impairment of waterfront values and infringement on a park facility for inland owners, which the staff did not consider sound.

Upon motion duly adopted, the Trustees overruled objection and confirmed sale to the applicants at the established price.

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PALM BEACH COUNTY - File No. 640-50-253.12. On August 23 the Trustees considered application by Vincent H. Palisano, et al, riparian upland owners, for purchase of a parcel of submerged land in Lake Wyman in Section 16, Township 47 South, Range 43 East, City of Boca Raton, within the established bulkhead line, containing 0.114 acre for which applicant offered the appraised price of \$3500.00 per acre, or \$400.00 for the parcel. No objections were filed to the sale which was advertised in the Palm Beach Post, with proof of publication filed in the Trustees office.

Central and Southern Florida Flood Control District waived objection to the proposed sale.

Upon motion by Mr. Larson, duly adopted, the Trustees confirmed sale to the applicants, at the price offered.

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PALM BEACH COUNTY - File No. 725-50-253.12. On August 23 the Trustees considered application by Murry and Gernon, Inc., riparian upland owner, with offer of \$1500.00 per acre for a parcel of submerged land in Lake Worth in Section 26, Township 44 South, Range 43 East, City of Palm Beach, containing 1.4 acres within the established bulkheadline. The parcel was advertised in the Palm Beach Post, proof of publication filed with the Trustees, and no protests to the sale were received.

Upon motion by Mr. Larson, duly adopted, the Trustees confirmed sale to the applicant at the price offered.

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PINELLAS COUNTY - File No. 749-52-253.12. Theo Kamensky, John K. and Cleve M. Gill and Mrs. Peter Krispin, abutting upland owners represented by Carl O. Dunbar, Jr., applied to purchase three parcels of submerged land in St. Joseph Sound in Section 27, Township 28 South, Range 15 East, comprising 4.27 acres in the City of Dunedin, within the established bulkhead line. Certified copy of action taken by Pinellas County Water and Navigation Control Authority approving the sale and proof of publication of notice were filed in the Trustees' office. No protests to the sale were filed. The Authority advertised the land to be sold by the Trustees on September 13, however the application was not received until after that date.

Upon motion by Mr. Green seconded and adopted, the Trustees approved sale of the land to the applicants, subject to their agreeing to pay the appraised price of \$1000.00 per acre.

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#### APPLICATIONS TO PURCHASE

DADE COUNTY- File No. 737-13-253.12. Colonial Arms, Inc., abutting upland owner represented by Mershon, Sawyer, Johnston et al, offered the appraised price of \$7065.00 per acre for a parcel of submerged land in Biscayne Bay abutting uplands in Section 38, Township 54 South, Range 41 East, City of Miami, within the established bulkhead line, containing 0.38 acre.

Upon motion duly adopted, the Trustees authorized advertisement of the parcel for objections only.

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In connection with advertisement of land sales, the Trustees directed that from this time, advertisements carry the hour of 11:00 A. M. instead of 2:30 P. M. as sale time, and that Trustees' meetings will be called for the earlier hour in the future, continuing in the afternoon if all matters have not been taken care of in the morning.

10-11-60

DADE COUNTY - File No. 407-13-253.12. Raymond G. Williams, abutting upland owner represented by Hall, Hartwell and Douglass, offered the appraised price of \$1000.00 per acre for a parcel of submerged land in Dumfoundling Bay in Section 10, Township 52 South, Range 42 East, in Dade County, within the established bulkhead line, containing 29.43 acres.

Upon motion by Mr. Larson, seconded and adopted, the Trustees authorized advertisement of the parcel for objections only.

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MONROE COUNTY - File No. 751-44-253.12. Little Torch Properties, Inc., abutting upland owner represented by E. R. McCarthy, offered the established price of \$300.00 per acre for a parcel of submerged land in Section 28, Township 66 South, Range 29 East, Little Torch Key, containing 18.5 acres.

Upon motion by Mr. Larson, seconded and adopted, the Trustees authorized advertisement of the parcel for objections only.

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MONROE COUNTY - File No. 752-44-253.12. Geiger Investments, Inc., abutting upland owner represented by E. R. McCarthy, offered \$200.00 per acre as starting bid for competitive sale of a small mangrove flat lying offshore from Government Lot 2, Section 26, Township 67 South, Range 26 East, Geiger Key, containing 4.94 acres.

Upon motion by Mr. Larson, seconded and adopted, the Trustees authorized advertisement of the parcel for objections and competitive bids, with appraised value of \$200.00 per acre as base bid.

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INDIAN RIVER COUNTY - Bulkhead Line & Application. File 733-31-253.12.

Referred to the Trustees for formal approval was a bulkhead line established by the City of Vero Beach on August 16, 1960, by ordinance numbered Chapter 846, the line being in the Indian River offshore from Government Lot 2 in Section 5, Township 33 South, Range 40 East, in Vero Beach, and being a revision of a portion of the bulkhead line established by the City of Vero Beach and adopted by the Trustees of Internal Improvement Fund on February 25, 1958.

Also, Biomer Bay, Inc., abutting upland owner, represented by Smith, Diamond and Heath, applied to purchase a parcel of submerged land in the Indian River in Section 5, Township 33 South, Range 40 East, containing 1.66 acres in the City of Vero Beach within the revised bulkhead line, for the adjusted appraised price of \$415.00 for the parcel.

The Trustees examined the bulkhead and application map, and upon motion by Mr. Larson, duly adopted, formally approved the bulkhead line established on August 16, 1960 by the City of Vero Beach and authorized advertisement for objections only of the parcel applied for.

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PINELLAS COUNTY - Bulkhead Line and Application. File No. 213-52-253.12.

H. H. Baskin, Sr., of Clearwater requested the Trustees to set a date for further consideration of the application of Paul F. Randolph, Trustee, for bulkhead line and purchase of submerged land adjacent to Moonshine Island in St. Joseph Sound within bulkhead line adopted on June 26, 1958 by Pinellas County Water and Navigation Control Authority, which also approved the proposed purchase. On April 28, 1959 the Trustees deferred the application without prejudice, indicating that further consideration would be given if a proposition could be worked out for causeway access and approval by the City of Clearwater could be shown.

10-11-60



Mr. Baskin stated that the facts were somewhat changed in view of Coastal Engineering Laboratory report regarding Clearwater-Little Pass entrance, economic considerations of access of the City of Clearwater to the large Caladesi development, that factual reports were now available, and that there was some urgency in the matter.

Upon motion by Mr. Green, duly adopted, the Trustees asked Mr. Ferguson to arrange a date, possibly November 22, and notify interested parties.

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#### BULKHEAD LINES

BREVARD COUNTY - Recommended to the Trustees for formal approval was the bulkhead line adopted July 21, 1960 by the Board of County Commissioners of Brevard County for the southerly portion of Indian River Lagoon for uplands of Brukenfeld Properties in Sections 6, 7, 18, Township 21 South, Range 37 East, in the area of Gallinipper Basin, Eddy Creek and Max Hoeck Creek. The Director advised that the area was undeveloped and included marsh and swamp, and it was noted that the bulkhead line maps submitted by the county showed a proposed fill plan.

Upon motion by Mr. Larson, seconded and adopted, the Trustees formally approved the bulkhead line established by Brevard County on July 21, 1960.

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BROWARD COUNTY - On May 3, 1960, the Fort Lauderdale City Commission adopted Ordinance C-1645 fixing a bulkhead line 150 feet east of upland of Lauderdale Yacht Club at Stranahan River. The Yacht Club owned or occupied 3.3 acres at east end of island west of Intracoastal Waterway between Rio Cordova and Cerro Gordo River and proposed to fill the 150-foot extension on state-owned bottom land under a 1939 permit, using spoil from a proposed boat basin and channels, and the Yacht Club made no offer for the submerged land.

Transcript disclosed vigorous protests from owners of residences both north and south of the proposed extension, charging depreciation of property (supported by appraiser's letter), undesirable filling of waterway thereby decreasing area available for recreation.

The Director pointed out that the disposition of spoil appeared the only basis for fixing the bulkhead line, not sufficiently in the public interest, that proposed dredging to improve the boat basin and channels might be approved if the spoil would be disposed of so as not to involve extension of the island or filling submerged land.

Upon motion by Mr. Green, duly adopted, the Trustees withheld approval of the bulkhead line and directed that applicant be urged to make other disposition of the spoil which would not involve filling submerged land, in which case approval would be granted for the dredging for improvement of navigation.

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MANATEE COUNTY - Recommended for formal approval by the Trustees was a bulkhead line adopted June 1, 1959 by the Board of County Commissioners of Manatee County with reference to property of R. Eugene Smith, Government Lots 1, 2 and 3 of Section 24, Township 34 South, Range 17 East, as mapped by the county. County Resolution recited that the line was recommended by the County Planning and Zoning Commission after public hearing.

Upon motion by Mr. Green, duly adopted, the Trustees formally approved the bulkhead line established by Manatee County on June 1, 1959.

### MISCELLANEOUS

DADE COUNTY - Gerson Blatt and Alfred Lewis, as Trustees, obtained county permit to fill the shoal area within the established bulkhead line, and proposed to convey to the Trustees the portion of the shoal area beyond the bulkhead line, subject to approval of the Trustees. Staff requested applicants to submit fill plan for review in connection with the fill permit.

Grover Loening, riparian owner at Hurricane Harbor who objected to the bulkhead line and was heard at length on several occasions, requested a hearing on the fill permit. He did not take appeal under Sec. 253.122(5), and no further hearing was recommended.

Without objection, the Trustees directed that no further hearing would be held, and indicated willingness to accept conveyance of the right, title and interest of the applicants in and to the area which they own or claim beyond the established bulkhead line.

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HIGHLANDS COUNTY - G. F. Ward, owner of Lots 3, 4 and 5, Block 23, Lotela Gardens, in Section 25, Township 33 South, Range 28 East, applied for permit to remove 350 cubic yards of material from the lake bottom in front of his riparian property to repair storm damage at his waterfront on Lake Lotela. Game and Fresh Water Fish Commission approved dredging in the lake under the Trustees permit provisions.

Upon motion by Mr. Thompson, duly adopted, the Trustees authorized issuance of permit to Mr. Ward at minimum charge of \$25.00.

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HIGHLANDS COUNTY - August Tobler applied for permit to remove 400 cubic yards of sand from lake bottom in front of his riparian property on Lake June-in-Winter in Sections 9 and 10, Township 37 South, Range 29 East, to repair erosion to yard caused by storms. Game and Fresh Water Fish Commission approved dredging in the lake under the Trustees permit provisions.

Upon motion by Mr. Thompson, duly adopted, the Trustees authorized issuance of permit to Mr. Tobler at minimum charge of \$25.00

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MANATEE COUNTY - At the suggestion of officials of the Town of Holmes Beach, the Board of Public Instruction of Manatee County by Resolution adopted October 4, 1960 requested dedication of a parcel of submerged land, approximately 2 acres, between the Anna Maria Island Elementary School lot and the established bulkhead line. Information was that dredge was available in connection with hurricane damage repair work.

Upon motion by Mr. Larson, duly adopted, the Trustees approved dedication of the parcel to Manatee County Board of Public Instruction for public school purposes.

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OKEECHOBEE COUNTY - State Road Department requested dedication of Easterly 23 feet of Lot 9, Block 8, and Easterly 23 feet of Lot 20, Block 57, Okeechobee Gardens, 0.095 acre, for highway purposes; also, perpetual easement for borrow pit purposes covering all of Block 8 except the easterly 23 feet of Lot 9 therein, Okeechobee Gardens, 1.34 acres. The land was formerly Murphy Act land, purchased by the Trustees from the State under Deed No. 05-Chapter 21684.

Upon motion duly adopted, the Trustees approved dedication of the two strips requested for right of way purposes, and granted perpetual easement or deed for borrow pit use over the requested land upon payment of \$10.00, which was the approximate purchase price paid by Trustees for the Murphy Act land.

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PALM BEACH COUNTY - Pelican Bay Tract. Trustees were advised that high water in Lake Okeechobee and overflow of levee of East Beach Drainage District made it necessary for the District on October 2 to cut the levee between the Pelican Bay tract and the District's canal, to avoid wide flooding and damage in Pahokee. The Director advised the Supervisor of the District that Trustees would expect the District to repair the levee and make arrangements for pumping waters from the Pelican Bay tract.

Upon motion by Mr. Larson, seconded and adopted, the Trustees directed that East Beach Drainage District be called upon to make the repairs to the levee and to proceed with despatch to have the flood waters pumped from the Pelican Bay tract.

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PALM BEACH COUNTY - James W. Clark, president of Four Square Ranches, Inc., holder of Lease No. 1171 covering all Section 1, less R/W for Levee L-8 and all of Sections 2, 12 and 13, Township 42 South, Range 38 East, 2544 acres, more or less, in Palm Beach County north of Pahokee, requested extension of lease term to 25 years. Mr. Clark told of the value of the tract for growing sugar cane, for which long-term crop planning was necessary, and predicted a great increase in sugar cane production in Florida.

The Trustees discussed whether the tract should be sold rather than granting long-term lease, and agreed to lease only upon proposal that appraisals would be made at intervals in the lease term and rental raised accordingly.

Upon motion by Mr. Larson, duly adopted, the Trustees authorized Lease No. 1171 superseded and vacated by issuance of new lease to the applicant covering the 2544 acres for 25 years, effective upon entry of Court decree awarding access; that rental payment would be waived for first two years with requirement that lessee improve the premises in amount not less than \$24,750.00 (uniform with improvement clause in Lease 1171), rental of \$1.00 per acre per year for the 3rd year, \$2.00 per acre per year for 4th and 5th years; that re-appraisal by Trustees' appraiser be the basis for determination of rental for (a) 6th through 10th years, (b) 11th through 15th years, (c) 16th through 20th years, and (d) 21st through 25th years; that other than these modifications, the provisions of former lease 1171 should be adapted to the new lease.

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SARASOTA COUNTY - Upon motion by Mr. Green, duly adopted, the Trustees authorized state permit to Chester B. Thorsen and wife, Clifton M. Shumond, Florence S. Hamlin, M. K. Patton and wife, Percival B. Slater and William P. Martin, Jr., for installation in an area of critical erosion on Casey Key of a system of ten groins in accordance with recommendations of Coastal Engineering Laboratory, subject to requirement of surety bond of \$6000.00.

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CAPITAL BUILDING - Trustees Funds. Joint Action by Trustees and Board of Commissioners of State Institutions.

On August 16 authorization was given for architectural services in connection with alterations in Capitol for office space for press and television representatives.



The Trustees on this date, in joint action with the Board of Commissioners of State Institutions, granted authority to enter into contract with the low bidder, J. O. Carlile, Tallahassee, in the amount of \$57,420.00 for alterations to the sub-basement, south wing of the Capitol Building.

It was so ordered.

TRUSTEES FUNDS - Attorney General Ervin asked approval for payment from Trustees funds of \$180.00 for replacing vault door in north end of basement of the Capitol.

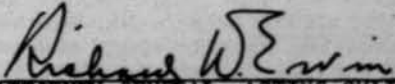
Also, Comptroller Green requested approval for payment from Trustees funds of \$500.00 for electrical fixtures in his offices.

Without objection, the Trustees authorized use of Trustees funds in the amounts and for the purposes requested by Mr. Ervin and Mr. Green.

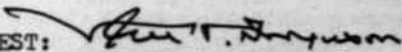
SUBJECTS UNDER CHAPTER 18296

Upon motion by Mr. Larson, duly adopted, the Trustees approved Report No. 767 listing two bids for sale of Murphy Act land, and authorized issuance of deeds pertaining thereto.

Upon motion duly adopted, the Trustees adjourned.

  
ATTORNEY GENERAL - ACTING CHAIRMAN

ATTEST:

  
DIRECTOR - SECRETARY

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Tallahassee, Florida  
October 18, 1960

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office, at the Capitol.

Present:	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Lee Thompson	Commissioner of Agriculture

Van H. Ferguson      Director-Secretary

Without objection, the Trustees approved the minutes of the meeting on October 4, 1960, which had been approved by the Attorney General and copies presented to each member.

SALE FOR CONFIRMATION

PINELLAS COUNTY - File No. 765-52-253.12. Edwin Thomas and wife, abutting riparian owners, offered the appraised price of \$500.00 per acre for a parcel of submerged land in The Narrows in Section 30, Township 30 South, Range 15 East, Town of Indian Rocks Beach South Shore, containing 1.85 acres, more or less, within the established bulkhead line. Pinellas County Water and Navigation Control Authority approved the purchase and advertised the sale to be considered by the Trustees on September 13, however the application was received by the Trustees' office on October 13. Proof of publication and certified copy of the Authority's action were filed with the Trustees.

10-18-60

Without objection, the Trustees confirmed sale of the advertised parcel to Mr. Thomas and wife for the appraised price.

#### APPLICATIONS TO PURCHASE

The following seven applications were presented from abutting upland owners for purchase of submerged areas riparian to their ownerships:

1. LEE COUNTY - File No. 762-36-253.12. Town and River Estates, Inc., represented by Allen & Knudsen, offered the appraised price of \$100.00 per acre for a parcel of submerged land in Caloosahatchee River in Section 20, Township 45 South, Range 24 East, containing 4.22 acres within the established bulkhead line.
2. MONROE COUNTY - File No. 756-44-253.12. Margaret L. Mitchell, represented by E. R. McCarthy, offered the established price of \$300.00 per acre for a parcel of submerged land in the Bay of Florida in Section 19, Township 65 South, Range 34 East, Grassy Key, 12.5 acres.
3. MONROE COUNTY - File No. 757-44-253.12. Frank F. Taylor, Jr., and wife, abutting upland owners, represented by G. A. Crawshaw, offered the established price of \$300.00 per acre for a parcel of submerged land in Buttonwood Sound in Section 28, Township 61 South, Range 39 East, Key Largo, containing 0.36 of an acre.
4. MONROE COUNTY - File No. 758-44-253.12. Will H. Baker and wife, abutting upland owners represented by G. A. Crawshaw, offered the established price of \$300.00 per acre, or in this instance the \$100.00 minimum, for a parcel of submerged land in Buttonwood Sound in Section 28, Township 61 South, Range 39 East, Key Largo, containing 0.31 of an acre.
5. MONROE COUNTY - File No. 759-44-253.12. Carl E. Lindback and wife, abutting upland owners represented by G. A. Crawshaw, offered the established price of \$425.00 per acre for a parcel of submerged land in the Straits of Florida in Section 6, Township 64 South, Range 37 East, Upper Matecumbe Key, containing 1.25 acres.
6. MONROE COUNTY - File No. 764-44-253.12. J. Edward Worton and wife, abutting upland owners represented by G. A. Crawshaw, offered the established price of \$425.00 per acre for a parcel of submerged land in the Straits of Florida in Section 22, Township 64 South, Range 36 East, Lower Matecumbe Key, containing 0.53 of an acre.
7. VOLUSIA COUNTY - File No. 760-64-253.12. J. V. Korpacy, abutting upland owner represented by Charles W. Luther, offered the minimum price of \$100.00 for 0.24 acre parcel of submerged land in the Halifax River in Section 34, Township 15 South, Range 33 East, landward of a bulkhead line established by Volusia County in 1953.

Upon motion duly adopted, the Trustees authorized the seven (7) parcels of submerged land advertised for objections only, based on the offers made by the abutting riparian owners.

#### BULKHEAD LINES

PASCO COUNTY - Bulkhead Line and Application. File No. 600-51-253.12. Presented for reconsideration was application of R. E. Maxwell for approval of bulkhead line and purchase of approximately 330 acres of submerged land between the Maxwell mean high water line and the bulkhead line. In several hearings before the Trustees, objections were made by S. E. Mickler,

10-18-60

Bart L. Mickler, Lillian H. Mickler and Gladys Mickler. On August 2, 1960 the Trustees took the application under advisement and indicated that upon the establishment by the Pasco County Commission of the bulkhead line for an over-all area - from the southern point of the previously established Burkland bulkhead line down to Bailey's Bluff - the Trustees would then try to allocate the submerged land to the upland owners since it appeared that no settlement could be reached by the interested parties.

The Board of County Commissioners on August 9, 1960 fixed an area bulkhead line offshore from uplands of Maxwell, Micklers, Scarr, Harrison, Summers and Wonders in Sections 13, 23 and 24, Township 26 South, Range 15 East. Notice had been published for this line April 14, 21, 28, May 5, 12, 19, 1960, and it had been shown as the proposed area bulkhead line on the county map filed with the Trustees for the establishment of the portion offshore from the Maxwell upland fixed on February 10, reaffirmed by the county on June 14, 1960, which the Trustees considered on August 2. Transcript of the County Commissioners' meeting August 9, when this area line was adopted, disclosed appearance of a number of citizens in behalf of the Maxwell line and purchase, and objections by E. H. Beckett and O. F. Boynton of Tarpon Springs and W. H. Mason of the Florida Audubon Society.

Mr. Maxwell's revised application proposed that an open water strip be left between the application area riparian to his shoreline and the submerged land in front of the Mickler upland, and the Director recommended approval of bulkhead line and sale and that Mr. Maxwell file written consent for dedication by the Trustees of the open water strip for perpetual use for public navigation.

C. Archie Clement, representing Mr. Mickler, renewed objections to the bulkhead line, protested any filling of the submerged bottoms referred to as a natural sand bay, and as new evidence presented petitions signed by many Pasco and Pinellas County citizens. The Trustees expressed concern that the petitions had not been filed with the County Commissioners, as local governing bodies should have first responsibility in reviewing facts and making decisions pertaining to fixing of bulkhead lines.

J. Lewis Hall and Sam Allgood, attorneys representing the applicant, called attention to the several hearings, the delay to the applicant who had borne the engineering expense for the area bulkhead line since the county had no engineering facilities and the Trustees had asked for the line all the way to Bailey's Bluff. Mr. Hall asked the Board to consider if the bulkhead line was in the public interest, if the proposed division line between adjacent owners was equitable and did fairly allocate the submerged areas. He pointed out that the County Commissioners had fixed the Maxwell bulkhead line and reaffirmed it twice, that his clients had drawn the division line back 300 feet, and the matter had been well publicized locally.

Mr. Larson stated that it appeared that the applicant had conformed with the Board's request for an area bulkhead line which followed the line sketched on the map by the Governor, but in view of the controversial nature of the matter the members thought it should be deferred until the Governor and the Attorney General could be consulted.

Upon motion by Mr. Larson, adopted without objection, the Trustees directed that there be no further notice or public hearing, and that the Director should present the matter to the Trustees for decision at the next meeting at which all members are present.

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11-18-60



PINELLAS COUNTY - Bulkhead Line and Dredge-Fill Permit No. BDF112.

Referred to the Trustees for formal approval were the bulkhead line and the modification - extension of dredge and fill permit approved by Pinellas County Water and Navigation Control Authority on October 13, 1960, for lands in Boca Ciega Bay at Cats Point Bank, immediately northward of Maximo Channel in Pinellas County, Florida, commonly referred to as the Furen-Ratner Fill.

The Director explained that Trustees' approval would carry out the intent of agreements previously entered into (see Minutes of April 5 and July 26, 1960), that permit was issued some time ago to the applicant and had been upheld by the Courts, that adjustment of the Furen fill plan by certain exchanges on basis of approximately acre-for-acre resulted in inclusion of new strips of submerged land not in the original permit which antedated the Bulkhead Act, and that Permit No. BDF112 included the whole area.

In answer to questions, J. Velma Keen informed the Trustees that his client was ready to deliver deed to Florida Presbyterian College conveying the land as agreed, that the State Road Department was awaiting completion of these transactions and conveyance of the areas as agreed, and that upon approval by the Trustees of the bulkhead line and amended and extended permit to take care of the changes which had been brought about in the plan of development since the original permit was issued, his client would thereupon proceed with preparation of deeds and execution of the exchanges.

Without objection, the Trustees formally approved the bulkhead line established by Pinellas County Water and Navigation Control Authority on October 13, 1960, and also approved the modified and extended dredge and fill permit issued by said Authority on the same date.

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MISCELLANEOUS

HIGHLANDS COUNTY - Mark Smith, owner of Lots 5 and 6, Block 14, Pine Crest Lakes Subdivision in Section 36, Township 33 South, Range 28 East, applied for permit to remove from Lake Lotela 300 cubic yards of material from the lake bottoms riparian to his upland, to repair storm damage to his property. Game and Fresh Water Fish Commission approved dredging in the lake under Trustees' permit provisions.

Upon motion, adopted without objection, the Trustees authorized issuance of permit to Mr. Smith for the minimum charge of \$25.00.

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LEVY COUNTY - Without objection, the Trustees approved joinder and concurrence with Florida Board of Parks and Historic Memorials in conveyance of 60 acres in SW $\frac{1}{4}$  of Section 13, Township 11 South, Range 13 East, to White Construction Company, to be delivered in exchange for conveyance of 78.17 acres in Government Lot 2 in Section 24, Township 11 South, Range 13 East by said company to the Park Board, all in accordance with authorization by the Park Board and processing through the office of the Attorney General.

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MARTIN COUNTY - Central and Southern Florida Flood Control District requested right of way easement over (1) an area from the mean high water mark into the open waters of the North Fork of St. Lucie River and (2) over portions of the existing channel of Bessey Creek in Section 31, Township 47 South, Range 41 East, and Section 6, Township 37 South, Range 41 East, Martin County, for construction of Canal C-23.

10-18-60

Upon motion by Mr. Larson, adopted without objection, the Trustees granted perpetual easement to the District as requested.

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ORANGE COUNTY - City of Belle Isle, Orange County, requested dedication to the city over permanently reclaimed bottoms of Lake Conway of the lakeward extension of Merrywether Drive, according to the plat of Silver Beach as recorded in Plat Book "L" Page 72, Public Records of Orange County, Florida, in Section 29, Township 23 South, Range 30 East.

Upon motion duly adopted, the Trustees authorized dedication of the parcel for public purposes, upon receipt of resolution from the City of Belle Isle.

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PUTNAM COUNTY - American Milling Company, operating as St. Johns Harbor and Sportman's Club, applied for state permit for commercial pier at its upland property at the mouth of Bluff Branch, westerly shore of the St. Johns River, in Section 35, Township 8 South, Range 27 East. Being a club facility, notice was issued by Trustees' office, and no objections were received.

Upon motion adopted without objection, the Trustees authorized issuance of permit to the applicant for the standard processing fee of \$100.00.

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ST. LUCIE COUNTY - The Director recommended authorization for state permit to "Marina at Fort Pierce, Inc.", for construction of marina extending into the Indian River at applicant's upland in Section 3, Township 35 South, Range 40 East. Applicant has secured approval of the City Commission and written consent of the adjacent private owner.

Upon motion duly adopted, the Trustees authorized issuance of permit to the applicant for the standard processing fee of \$100.00.

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ST. LUCIE COUNTY - Present on behalf of Fort Pierce Beach Erosion District, St. Lucie County and the City of Fort Pierce were Rupert Jason Smith, Rodney E. Snow and Alton A. Register, District's attorney, member and engineer, respectively; Joe D. Nelson, County Commissioner; and Senator Harry J. Kioliter. Mr. Smith reviewed the erosion problem, organization of the District about ten years ago, the erosion control study made for the District by the Coastal Engineering Laboratory which indicated that cost of control would be more than the District could handle. Cooperatively, the District, County and City applied to U. S. Beach Erosion Board for federal help and it was learned that before federal erosion control project could be undertaken, federal studies were required. The Coastal Laboratory study would be utilized, also. Of the total estimated cost of \$32,500.00 for federal study, the U. S. Engineers would bear one-half cost, local sources would contribute one-fourth, and the Trustees were asked to contribute one-fourth, or \$8,125.00. Mr. Smith pointed out that erosion protection of the area was in the public interest, since county and city beaches, county right of way, and areas of importance for recreation and tourism were affected.

Upon motion by Mr. Larson, adopted without objection, the Trustees approved participation in the cost of the proposed shore erosion study to be made by U. S. Beach Erosion Board, not to exceed \$8,125.00, under provisions of Section 253.65 Florida Statutes, subject to approval by the Governor and the Attorney General.

SARASOTA COUNTY - Joseph W. Lippincott et al, represented by Williams, Parker, Harrison & Dietz, applied for conveyance pursuant to Section 253.12(1) of two separate parcels of land in Little Sarasota Bay in Section 22, Township 38 South, Range 18 East, comprising .98 of an acre, more or less, filled prior to June 11, 1957 and subsequent to May 29, 1951. Appraised value of the land before filling was established at \$200.00 per acre.

Upon motion adopted without objection, the Trustees approved conveyance to the applicant under provisions of Section 253.12(1) for \$200.00 per acre.

TRUSTEES' OFFICE - With reference to the matters discussed on October 4th of relocation of Trustees' auditor's office and files of State Land Office and removal and sorting of old Trustees' files from the Capitol subbasement to allow remodeling, the Director reported that suitable attic space in the Carlton Building was not available and that rental space had been found in the Dorian Building - ground floor space at \$125.00 per month plus utilities or fourth floor offices at \$50 to \$65 per month each without utility charges.

Upon motion by Mr. Thompson, adopted without objection, the Trustees authorized rental of the ground floor space in the Dorian Building at \$125.00 per month plus utilities.

HURRICANE DAMAGE STUDY COMMITTEE: Trustees' Funds. In the absence of Governor Collins, Executive Assistant William Durden presented request of the Hurricane Damage Study Committee for approval of budget for \$5,000.00 for over-all study as provided in the minutes of September 20, 1960, the amount to be divided two ways: \$2,000.00 for professional services of a technically qualified staff assistant and \$3,000.00 for travel and other expenses of the Committee and its assistant.

Upon motion duly adopted, the Board authorized release from Trustees' funds of the amount of \$5000.00 for budget of the Hurricane Damage Study Committee as recommended by the Governor.

SUBJECTS UNDER CHAPTER 18296

Without objection, the Trustees approved Report No. 768 listing 15 bids for purchase of Murphy Act lands.

Upon motion duly adopted, the Trustees adjourned.

  
COMPTROLLER - ACTING CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
November 1, 1960

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office at the Capitol.

Present:	LeRoy Collins	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Lee Thompson	Commissioner of Agriculture

11-1-60



Without objection, the Trustees approved the minutes of the meetings on October 11 and 18, 1960, which were approved by the Attorney General and copies presented to each member.

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LAND SALES

INDIAN RIVER COUNTY - File No. 512-31-253.12. On September 6, 1960, the Trustees considered offer of the appraised price of \$125.00 from Ivy-Jay Corporation, abutting upland owner, for a parcel of submerged land in the Indian River in Section 6, Township 31 South, Range 39 East, City of Sebastian, comprising 0.54 acre, more or less, within the established bulkhead line. The land was advertised for objections in the Vero Beach Press Journal, and proof of publication was filed with the Trustees.

No objections were filed or presented on the advertised sale date, October 25, 1960, and a quorum not being present then, the Director recommended confirmation of the sale on this date.

Without objection, the Trustees confirmed sale to the applicant at the appraised price for the parcel.

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MARTIN COUNTY - File No. 686-43-253.12. On September 6, 1960, the Trustees considered offer of the appraised price of \$350.00 per acre from C. A. Reed and Joseph H. Poff, abutting upland owners, for a parcel of submerged land in the Indian River in Section 22, Township 37 South, Range 41 East, Martin County, containing 0.59 acre, more or less, within the established bulkhead line at Jensen Beach. The land was advertised for objections in the Stuart News, Stuart, Florida, and proof of publication was filed with the Trustees.

No objections were filed or presented on the advertised sale date, October 25, 1960, and a quorum not being present then, the Director recommended confirmation of the sale on this date.

Without objection, the Trustees confirmed sale to the applicants at the appraised price for the parcel advertised.

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MARTIN COUNTY - File No. 687-43-253.12. On September 6, 1960, the Trustees considered offer of the appraised price of \$350.00 per acre from W. R. Fogarty, abutting upland owner, for purchase of a parcel of submerged land in the Indian River in Sections 22 and 23, Township 37 South, Range 41 East, Martin County, containing 1.28 acres, more or less, within the established bulkhead line. The land was advertised for objections in the Stuart News, and proof of publication was filed with the Trustees.

No objections were filed or presented on the advertised sale date, October 25, 1960, and a quorum not being present then, the Director recommended confirmation of the sale on this date.

Without objection, the Trustees confirmed sale to the applicant at the appraised price for the parcel advertised.

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MARTIN COUNTY - File No. 690-43-253.12. On September 6, 1960, the Trustees considered offer of the appraised price of \$350.00 per acre from Glenn J. White, abutting upland owner, for purchase of a parcel of submerged land in the Indian River in Section 22, Township 37 South, Range 41 East, containing 0.62 acre, more or less, within the established bulkhead line. The land was advertised for objections in the Stuart News, and proof of publication was filed with the Trustees.

No objections were filed or presented on the advertised sale date, October 25, 1960, and a quorum not being present then, the Director recommended confirmation of the sale on this date.

Without objection, the Trustees confirmed sale to the applicant at the appraised price.

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MONROE COUNTY - File No. 697-44-253.12. On September 6, 1960, the Trustees considered offer of the established price of \$250.00 per acre from A. E. Bhash, abutting upland owner, for purchase of a parcel of submerged land in the Straits of Florida in Section 11, Township 66 South, Range 32 East, Key Vaca, containing 1.32 acres, more or less. The land was advertised for objections in the Key West Citizen, and proof of publication was filed with the Trustees.

No objections were filed or presented on the advertised sale date, October 25, 1960, and a quorum not being present then, the Director recommended confirmation on this date.

Without objection, the Trustees confirmed sale to the applicant at the price offered.

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MONROE COUNTY - File No. 728-44-253.12. On September 6, 1960, the Trustees considered offer of the established price of \$425.00 per acre from James C. Russell and wife, abutting upland owners, for a parcel of submerged land in Florida Bay in Section 28, Township 63 South, Range 37 East, Upper Matecumbe Key, containing 0.61 of an acre, more or less. The land was advertised for objections in the Coral Tribune, Key West, Florida, and proof of publication was filed with the Trustees.

A quorum not being present on the advertised sale date, October 25, the matter was held for consideration on this date.

Florida National Bank at Key West protested that a portion of the land applied for, extending in a westerly direction into the waters of Florida Bay, was in front of its upland riparian property. However, upon examination of the map, the Trustees agreed that the layout appeared equitable in the area of curved shoreline.

Upon motion duly adopted, the Trustees overruled the objection and confirmed sale to the applicants at the price offered.

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MONROE COUNTY - File No. 729-44-253.12. On September 6 the Trustees considered offer of the established price of \$425.00 per acre from Eunice P. Merrick, abutting upland owner, for a parcel of submerged land in the Straits of Florida in Section 6, Township 64 South, Range 37 East, Upper Matecumbe Key, containing 1.52 acres, more or less. The land was advertised for objections in the Coral Tribune, Key West, Florida, and proof of publication was filed with the Trustees.

No objections were filed or presented on the advertised sale date, October 25, 1960, and a quorum not being present then, the Director recommended confirmation of the sale on this date.

Upon motion duly adopted, the Trustees confirmed sale to the applicant at the price offered.

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MONROE COUNTY - File No. 731-44-253.12. On September 6 the Trustees considered offer of the established price of \$425.00 per acre from George K. Glassford and wife, abutting upland owners, for a parcel of submerged land in the Straits of Florida in Section 6, Township 64 South, Range 37 East, Upper Matecumbe Key, containing 0.32 acre, more or less. The land was advertised

for objections in the Key West Citizen, and proof of publication was filed with the Trustees.

No objections were filed or presented on the advertised sale date, October 25, 1960, and a quorum not being present then, the Director recommended confirmation of the sale on this date.

Upon motion duly adopted, the Trustees confirmed sale to the applicants at the price offered.

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MONROE COUNTY - File No. 732-44-253.12. On September 6 the Trustees considered offer of the established price of \$425.00 per acre from Harold L. Smith and wife, abutting upland owners, for a parcel of submerged land in the Straits of Florida in Section 23, Township 63 South, Range 37 East, Windley Key, containing 1.38 acres, more or less. The land was advertised in the Coral Tribune, Key West, Florida, and proof of publication was filed with the Trustees.

No objections were filed or presented on the advertised sale date, October 25, 1960, and a quorum not being present then, the Director recommended confirmation of the sale on this date.

Without objection, the Trustees confirmed sale to the applicants at the price offered.

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MONROE COUNTY - File No. 736-44-253.12. On September 13 the Trustees considered offer of the established price of \$300.00 per acre from A. L. Lancaster, abutting upland owner, for a parcel of submerged land in the Straits of Florida in Section 8, Township 66 South, Range 38 East, Plantation Key, containing 0.39 of an acre, more or less. The parcel was advertised in the Coral Tribune, Key West, Florida, and proof of publication was filed with the Trustees.

No objections were filed or presented on the advertised sale date, October 25, 1960, and a quorum not being present then, the Director recommended confirmation of the sale on this date.

Upon motion duly adopted, the Trustees confirmed sale to the applicant at the price offered.

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PINELLAS COUNTY - File No. 753-52-253.12. Three Palms Point Co., abutting upland owner, represented by C. Ray Smith, applied to purchase a tract of submerged land in Boca Ceiga Bay in Section 31, Township 31 South, Range 16 East, 15.6 acres in the City of St. Petersburg Beach within the established bulkhead line. Purchase application was approved and advertised by Pinellas County Water and Navigation Control Authority for consideration by the Trustees on October 25. Filed with the Trustees were transcript of county hearing showing no protest to the sale, and letter dated September 12, 1960, from City Manager E. C. Brandon, Jr. of St. Petersburg Beach recommending the sale as a means of eliminating undesirable flats and shoaling. Also, letter dated October 31 from Mr. Brandon was presented, explaining in more detail the reasons why the City of St. Petersburg Beach sponsored the application to purchase and the proposed dredging and filling.

Trustees' appraiser reported a value of \$1200.00 per acre, which Mr. Smith stated did not take into consideration several factors peculiar to the application. The Director suggested that appraiser be asked to look into the matter and advise the Board if any adjustment in price was indicated.

Aside from the question of price, the Trustees were not agreeable to sale of the land until further information was available as to the general community support for the sale and filling, in view of numerous past protests to filling in Boca Ciega Bay.



Without objection, the Trustees deferred action and requested Mr. Ferguson to check further into the matter of local approval of the project, as well as appraised value of the land.

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PINELLAS COUNTY - File No. 754-52-253.12. Normandy, Inc., abutting upland owner, represented by C. Ray Smith, applied to purchase a tract of submerged land in Boca Ciega Bay in Section 6, Township 32 South, Range 16 East, 1.45 acres in the City of St. Petersburg Beach within the established bulkhead line. Purchase application was approved and advertised by Pinellas County Water and Navigation Control Authority for consideration by the Trustees on October 25. Filed with the Trustees were transcript of county hearing showing no objection to the sale, and letter dated September 12, 1960 from City Manager E. C. Brandon, Jr., of St. Petersburg Beach, recommending the sale as being in the best interest of the municipality. Also, letter dated October 31 from Mr. Brandon was received, explaining more fully the city's reasons for sponsoring the application to purchase and the proposed filling and dredging.

Trustees' appraiser reported a value of \$1200.00 per acre, which Mr. Smith stated did not take into consideration several factors peculiar to the application. The Director suggested that the appraiser could be asked to look into the matter and advise the Board if any adjustment in price was indicated.

Aside from the question of price, the Trustees were not agreeable to sale of the land until further information was available as to general community support for the sale and filling, in view of numerous past protests to filling in Boca Ciega Bay.

Without objection, the Trustees deferred action and requested Mr. Ferguson to check further into the matter of local approval of the project, as well as appraised value of the land.

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PINELLAS COUNTY - File No. 743-52-253.12. William B. Clautice, abutting upland owner represented by C. Ray Smith, applied to purchase a tract of submerged land in Boca Ciega Bay lying northeasterly of Bahia Shores Second Addition and lying in a portion of Section 31, Township 31 South, Range 16 East, 15.2 acres in St. Petersburg Beach within the established bulkhead line. Purchase application was approved and advertised by Pinellas County Water and Navigation Control Authority for consideration by the Trustees on September 27, 1960, deferred for Trustees' approval of bulkhead line. Filed with the Trustees were transcript of county hearing showing only one objection was received, and letter dated August 9, 1960, from City Manager E. C. Brandon, Jr., of St. Petersburg Beach recommending the sale as a beneficial type of filling to remove undesirable flats. Also, letter dated October 31 from Mr. Brandon was presented, explaining more fully the city's reasons for sponsoring the application.

The Trustees' appraiser reported a value of \$1200.00 per acre, which Mr. Smith stated did not take into consideration several factors peculiar to the application. The Director suggested that the appraiser could be asked to look into the matter and advise the Board if any adjustment in price was indicated.

Aside from the question of price, the Trustees were not agreeable to sale of the land until further information was available as to general community support for the sale and filling, in view of numerous past protests to filling in Boca Ciega Bay.

Without objection, the Trustees deferred action and requested Mr. Ferguson to check further into the matter of local approval of the project, as well as appraised value of the land.

PINELLAS COUNTY - File No. 768-52-253.12. Union Trust Company, as Trustee, abutting upland owner represented by Adrian S. Bacon, offered \$900.00 per acre for a tract of submerged land in Boca Ciega Bay in Government Lot 1, Section 9, Township 31 South, Range 15 East, 7.9 acres within the established bulkhead line of the City of Madeira Beach. Trustees' appraiser reported a value of \$900.00 per acre indicated by previous sales, but by detailed development cost analysis showed an estimated value of \$1150.00 per acre, which latter price was recommended by the Director. Applicant agreed to raise his offer to \$1025.00 per acre, mid-way, considered reasonable by the Director.

The Pinellas County Water and Navigation Control Authority approved and advertised the purchase application, proof of publication and transcript of county hearing being filed in Trustees' office. The Authority issued dredge-fill Permit No. PDF110, and referred the application to the Trustees for consideration on October 25 - deferred until this date by reason of lack of a quorum on the 25th.

Mr. Bacon reviewed the bulkhead line and application to the City of Madeira Beach approved by the Trustees on March 22 and May 10 for land adjacent to Union Trust Company parcel, and stated that joint hearings were held on proposed development of the city's and his client's riparian areas, with no local objections, and the city and county had approved Union Trust Company's application and fill plan which would improve existing conditions within the established bulkhead line.

Upon suggestion of Governor Collins, the action of the Trustees was to defer the matter and instruct the Director to seek an expression from the City of Madeira Beach as to whether sale and filling of the parcel applied for by Union Trust Company was in the public interest and was recommended or requested by the city.

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PINELLAS COUNTY - File No. 746-52-253.12. Wallis L. Skinner, abutting upland owner, applied to purchase a parcel of submerged land in St. Joseph Sound in Section 27, Township 28 South, Range 15 East, City of Dunedin, 0.8 acre within the established bulkhead line. The Pinellas County Water and Navigation Control Authority approved and advertised the purchase application for consideration by Trustees on September 27, but it was deferred for securing appraisal - which reported a value of \$1500.00 per acre. Proof of publication and transcript of county hearing were filed with Trustees, showing no protests to the purchase application.

Upon examination of the map submitted, the Governor stated that the extension appeared excessive.

Without objection, the Trustees deferred action on the application.

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PINELLAS COUNTY - File No. 747-52-253.12. F. L. Skinner, abutting upland owner, applied to purchase a parcel of submerged land in St. Joseph Sound in Section 27, Township 28 South, Range 15 East, City of Dunedin, 2.06 acres within the established bulkhead line. The Pinellas County Water and Navigation Control Authority approved the purchase and advertised it for consideration by Trustees on September 27, but it was deferred for securing appraisal - which reported a value of \$1000.00 per acre. Proof of publication and transcript of county hearing were filed with the Trustees, showing no objections made to the purchase application.

Upon examination of the map submitted, the Governor stated that the extension appeared excessive.

Without objection, the Trustees deferred action on the purchase application.

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PINELLAS COUNTY - File No. 744-52-253.12. Maynard Abrams, Trustee, abutting upland owner, applied to purchase a tract of submerged land in Long Bayou, adjacent to Government Lot 2, Section 35, Township 30 South, Range 15 East, 32.0 acres within the established bulkhead line, appraised at \$650.00 per acre. The Pinellas County Water and Navigation Control Authority approved purchase application and advertised it for consideration by Trustees on September 13, and upon receipt by Trustees' office appraisal was secured before presentation. Proof of publication and transcript of county hearing filed with the Trustees showed no objection to the sale. One party objected to dredging and filling, which would be considered at the time fill permit was investigated.

The Trustees examined the map submitted by the applicant, and it appeared that existing conditions in Long Bayou area would be improved by the applicant's plan.

Without objection, the Trustees confirmed sale to the applicant at the appraised price, \$650.00 per acre.

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#### APPLICATIONS TO PURCHASE

DADE COUNTY - File No. 741-13-253.12. Harold E. Davis and wife, abutting upland owners, represented by Knight, Smith, Underwood and Peters, offered the appraised price of \$4,655.00 per acre for a parcel of submerged land in Biscayne Bay in Section 13, Township 54 South, Range 41 East, 1.82 acres in the City of Miami within the established bulkhead line.

Without objection, the Trustees authorized advertisement for objections only.

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DUVAL COUNTY - File No. 772-16-253.12. Nell L. C. Bostwick, abutting upland owner represented by Bostwick and Bostwick, offered \$25.00 per acre for a parcel of submerged land in Drummond Creek area in Section 20, Township 1 South, Range 27 East, 44.0 acres within the established bulkhead line.

In March 1959 the Trustees considered insufficient an appraised value of \$50.00 per acre for land in this area and three sales were confirmed for \$200.00 per acre. Not less than that amount was recommended by the staff for the present application, and, upon consideration of recent development in the vicinity the Trustees fixed a price of \$250.00 per acre.

Upon motion duly adopted, the Trustees authorized the tract advertised for objections only provided applicant offered \$250.00 per acre.

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MONROE COUNTY - The following applications were presented from abutting upland owners for purchase of submerged areas riparian to their ownerships:

1. File No. 761-44-253.12. Joseph Kesler offered the established price of \$425.00 per acre for a parcel of submerged land in the Straits of Florida in Section 5, Township 64 South, Range 37 East, Upper Matecumbe Key, containing 0.69 of an acre.
2. File No. 767-44-253.12. Curtis E. Hammond offered the established price of \$425.00 per acre for a parcel of submerged land in the Straits of Florida in Section 23, Township 63 South, Range 37 East, Windley Key, containing 0.72 of an acre.

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3. File No. 770-44-253.12. Stanley H. Swift and wife, abutting upland owners, represented by E. R. McCarthy, offered the appraised price of \$1000.00 per acre for a parcel of submerged land in the Bay of Florida in Township 67 South, Range 25 East, Island of Key West, containing 0.76 of an acre.

Without objection, the Trustees authorized the three parcels of Monroe County land advertised for objections only, based on the applicants' offers.

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PALM BEACH COUNTY - File No. 771-50-253.36. LaBelle Syrup Company, abutting upland owner, represented by Henderson, Franklin, Starnes and Holt, offered the established price of \$100.00 per acre as base bid for competitive sale of a tract of reclaimed lake bottoms in Lake Okeechobee in Section 18, Township 43 South, Range 35 East, containing 29.13 acres.

The Director recommended advertisement for objections and competitive bids under provisions of Section 253.37 Florida Statutes, and that applicant be reimbursed for survey costs if not the successful bidder.

Without objection, the Trustees approved recommendations of the Director as the action of the Board.

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PALM BEACH COUNTY - File No. 336-50-253.36. LaBelle Syrup Company, abutting upland owner, represented by Henderson, Franklin, Starnes and Holt, offered the established price of \$100.00 per acre for a parcel of reclaimed bottoms in Lake Okeechobee in Section 19, Township 43 South, Range 35 East, containing 9.95 acres. The staff recommended sale without advertising, in the usual manner of sale of reclaimed lake bottoms to upland owner.

Upon motion by Mr. Larson, duly adopted, the Trustees deferred action on this application, since competitive sale authorized for the adjacent parcel might indicate a change in value.

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PALM BEACH COUNTY - File No. 766-50-253.12. The Town of Lake Park, abutting upland owner, represented by Brockway, Weber and Brockway, applied for (a) disclaimer under Section 253.129 Florida Statutes, of an area in Section 21, Township 42 South, Range 43 East, containing 0.599 of an acre, and (b) deed to those submerged lands in Lake Worth in Section 21, Township 42 South, Range 43 East, lying easterly of and abutting parcel in "a" outward to the established bulkhead line, containing 6.969 acres requested to be conveyed as a grant for municipal purposes only, for a public park.

Without objection, the Trustees authorized issuance of the disclaimer for \$10.00 charge, and grant without charge of the 6.969 acre parcel to the Town of Lake Park for public park purposes subject to advertising for objections only.

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PALM BEACH COUNTY - File No. 769-50-253.12. Henry J. Burkhardt, abutting upland owner, represented by Brockway, Weber and Brockway, applied for (a) disclaimer under Section 253.129 Florida Statutes, of an area in West Palm Beach in Sections 3 and 4, Township 43 South, Range 43 East, 0.677 of an acre, and (b) deed to those submerged lands lying in Lake Worth in said Sections 3 and 4, lying easterly of and abutting parcel in "a" outward to the established bulkhead line, containing 0.131 acre requested to be conveyed at the appraised price of \$1401.00 per acre, subject to advertisement for objections only.

Without objection, the Trustees authorized issuance of the disclaimer for \$10.00 charge, and advertisement for objections of the 0.131 acre parcel based on offer of the appraised price.

## BULKHEAD LINE

MANATEE COUNTY - Referred to the Trustees for formal approval was the bulkhead line adopted by City of Palmetto by Ordinance No. 504 passed by the City Council on May 28, 1959, for the entire length of the city limits on the Manatee River. No objections were reported at the local hearing, and the Director recommended the bulkhead line.

Upon motion duly adopted, the Trustees approved the bulkhead line established on May 28, 1959, by the City of Palmetto for the shoreline of the Manatee River within the city limits.

## LEASES

PALM BEACH COUNTY - Willie N. Veal, holder of Lease No. 1272, requested issuance of corrective instrument describing Lots 8, 9 and 10 in Section 30, Township 41, Range 39 East, which were the lots sought for lease and the area used since execution of the five-year lease on September 15, 1959, although the original application and lease described Lots 8, 9 and 11 (Lot 11 being in private ownership).

Without objection, the Trustees authorized issuance of corrective lease effective for the unexpired portion of the five-year term.

STATE DRILLING LEASE NO. 833 - On October 20, 1960, J. L. McCord, on behalf of Commonwealth Oil Company, requested an additional extension of 30 days for commencement of an offshore well under Lease No. 833. An extension of 60 days from August 29 was allowed on August 16 in recognition of a change in location of the intended well and to allow necessary preparatory work. Mr. McCord advised that final procurement of permit had been delayed and since the 60-day extension would have expired October 28, he contacted a majority of the Trustees and obtained informal consents to the 30-day extension. The matter was presented for confirmation of the extension for the record, and for extension agreement effective by date prior to October 29 (actual date October 20) subject to approval of the instrument by the Attorney General.

Upon motion by Mr. Larson, duly adopted, the Trustees confirmed 30-day extension for commencement of an offshore well under Lease No. 833, granted informally prior to October 28, and referred the instrument to the Attorney General for approval.

SAND AND GRAVEL LEASES - The Trustees discussed the matter of outstanding sand and gravel leases, being twelve in number, and instructed the Director to inquire as to possibility of an arrangement whereunder a representative of the State Auditing Department might check the records of the various lessees of Trustees and Board of Education and whether or not such services by the Auditing Department might be paid for on basis of time expended and might be chargeable to the respective Boards according to the services rendered for each. The leases contained provision for inspection of the books and records of materials taken and rentals and royalties due the state.

The Director advised that as to Shell Leases, the State Board of Conservation took care of such checking.

Also, the Trustees asked the Attorney General to investigate the possibility of negotiating for increase in price and reduction in term of certain leases.

It was so ordered.

## PERMITS

BREVARD COUNTY - Artificial Reef. The State Board of Conservation recommended grant of State Permit to South Brevard Chambers of Commerce Council for the construction of artificial reef using 300 automobile bodies cabled in pairs, along a line north from a point two miles north and two miles east from Sebastian Inlet in the Atlantic Ocean, in a depth of water 52 to 54 feet at low tide.

Without objection, the Trustees authorized permit for artificial reef as recommended by the Conservation Department, for the standard fee of \$50.00.

BROWARD COUNTY - Groin Permit. The Director requested authorization for State Permit to V. A. Smith for installation of two groins extending into the Atlantic Ocean from applicant's upland in Government Lot 1, Section 31, Township 48 South, Range 43 East, with requirement of \$600.00 bond, all in accordance with recommendation of the Coastal Engineering Laboratory.

Without objection, the Trustees authorized permit for groin structures as recommended, subject to requirement of \$600.00 bond and payment of standard fee of \$100.00.

HIGHLANDS COUNTY - Lake fill material. Without objection, the Trustees authorized issuance of fill permit applied for by Edward A. Teppert, owner of Lots 4 and 5, West Side Beach Subdivision in Section 26, Township 33 South, Range 28 East, to remove from Lake Lotela 300 cubic yards of fill material to repair storm damage on applicant's upland, subject to payment of the minimum charge of \$25.00, Game and Fresh Water Fish Commission having approved dredging in this lake.

HIGHLANDS COUNTY - Lake fill material. Without objection, the Trustees authorized issuance of fill permit applied for by Arthur T. Becker, owner of Lots 24 and 25 and Lot "D", Replat of Pinecrest Lakes Subdivision in Section 36, Township 33 South, Range 28 East, to remove from Lake Lotela 300 cubic yards of fill material to repair storm damage on applicant's upland, subject to payment of the minimum charge of \$25.00, Game and Fresh Water Fish Commission having approved dredging in this lake.

OKALOOSA COUNTY - Fill material. Without objection, the Trustees authorized issuance of permit applied for by H. H. Harris, Jr., to pump 5,760 cubic yards of fill material from the bottoms of Santa Rosa Sound from an area riparian to applicant's uplands, Lots 51 to 54 inclusive, Seabreeze Addition to Fort Walton Beach in Township 2 South, Range 24 West, Okaloosa County, to improve the uplands, subject to payment of \$288.00 for the material.

PINELLAS COUNTY - Dredge-Fill Permit. On November 9, 1959, Pinellas County Water and Navigation Control Authority issued permit to Venetian Isles Development Corporation for dredging and filling in accordance with a plan approved by Trustees before issuance of Contract No. 22138 dated June 2, 1959. On October 13, 1960, the County Authority approved a modification of the fill plan as to the shape of islands and the location of access bridge, all within limits of applicant's original upland ownership, since the access bridge was relocated at Overlook Drive in accordance with suggestion by St. Petersburg Planning Department.

The Director advised that modification did not involve submerged lands conveyed by Trustees nor conditions imposed in Deed No. 22138.



Without objection, the Trustees formally approved the modified Permit DP96 issued by the Pinellas County Authority.

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PINELLAS COUNTY - Commercial Dock. Without objection, the Trustees authorized issuance of State Permit for \$100.00 processing fee, for commercial dock for which the applicant, Jose C. Alfonsi at Ozona, had secured permit from Pinellas County Water and Navigation Control Authority. No objections were filed.

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SARASOTA COUNTY - Commercial Dock or Marina. Without objection, the Trustees authorized issuance of State Permit to George F. Gibbs, Jr., for \$100.00 processing fee, for a marina at the applicant's upland in Section 2, Township 39 South, Range 18 East, Casey's Pass, Venice. No objections were filed, and city permit was granted.

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SARASOTA COUNTY - Groin Permit. Without objection, the Trustees authorized issuance of State Permit for \$100.00 processing fee, to Harold L. Curtis, et al, for installation of a system of thirteen groins at applicant's Casey Key property, with requirement of \$7000.00 surety bond, all in accordance with recommendation of the Coastal Engineering Laboratory.

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SARASOTA COUNTY - Dredge-Fill Permit. Without objection, the Trustees approved the permit granted by City of Sarasota on October 21, 1960, to Arvida Realty Company for dredging and filling within its ownership at South Lido, within the bulkhead line fixed by City Ordinance No. 763 dated November 17, 1952.

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#### MISCELLANEOUS

DADE COUNTY - Treasurer Larson mentioned requests from interested parties in the Mashta Island area for a hearing before the Trustees in opposition to filling, and he inquired as to the current status of the matter.

The Director reviewed the situation briefly, stating that after several lengthy hearings the Trustees approved the bulkhead line on May 31, 1960, such approval not implying any approval of title or right to fill; that information was that fill plan had been approved by Dade County, however further local hearings had been requested by objectors and fill application had not been submitted to the Trustees. On October 11, the Trustees indicated that no further hearing would be held, since the matter of anticipated filling had been considered at length before approval of the bulkhead line.

No action was taken.

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DADE COUNTY - Dade County requested instrument to correct description shown in Trustees' Dedication No. 22459 dated May 3, 1960, which was recorded. Original description in request for dedication covered right of way for drainage canal purposes over shallow bottoms of Biscayne Bay, and showed the area approximately 25 feet northerly of the correct location.

Without objection, the Trustees approved corrective dedication to Dade County to correctly describe location of the right of way.

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DADE COUNTY - The City of Miami by Resolution No. 31915 requested dedication for street and other municipal purposes of the easterly extension into Biscayne Bay of that part of Northeast 83rd Street now unplatted and unfilled, being a strip of submerged land 15 feet wide from the mean high water mark of Biscayne Bay to a point 102 feet westerly from the established bulkhead line in Section 8, Township 53 South, Range 42 East.

Without objection, the Trustees approved dedication for street and municipal purposes of the parcel requested by the City of Miami, at no charge.

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DADE COUNTY - The City of Miami by Resolution No. 32220 applied for perpetual dedication of a parcel of submerged land lying easterly of the terminus of Southeast 12th Street at the mean high water mark of Biscayne Bay in Section 38, Township 54 South, Range 41 East, to the established bulkhead line.

Without objection, the Trustees approved dedication for street purposes of the parcel requested by the city, at no charge.

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LEVY COUNTY - Florida Board of Parks and Historic Memorials requested joinder and concurrence of the Trustees in deed to Luther A. Drummond conveying the NE<sup>1</sup>/<sub>4</sub> of NE<sup>1</sup>/<sub>4</sub> of Section 25, Township 11 South, Range 13 East, to be delivered in exchange for conveyance by Mr. Drummond to the Park Board of NW<sup>1</sup>/<sub>4</sub> of SW<sup>1</sup>/<sub>4</sub> of Section 24, Township 11 South, Range 13 East, desired for Manatee Springs State Park. The lands were appraised, the exchange duly advertised in the county, and the Attorney General's office approved the deeds.

Without objection, the Trustees approved concurrence as requested by the Park Board.

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MONROE COUNTY - Before making formal purchase application, Stanley M. Fred, by Representative Richard O. Mitchell, asked for preliminary consideration of proposed development of approximately 15.9 acres of Trustees' submerged land desired for enlargement of 80-acre parcel south of and beyond 300 feet from centerline of U. S. Highway No. 1 between Teatable Key Channel and Indian Key Channel, purchased under Contract No. 22329. The eighty acres was offered at competitive sale on October 27, 1959 with base bid of \$100.00 per acre, and sale was confirmed at high bid of \$430.00 per acre November 3, 1959. No private riparian ownership existed within 1000 feet of the 15.9 acres desired.

Mr. Mitchell stated that the Park Board would have no interest, since the parcels desired for enlargement of the improvement plan were not on the highway but separated by a channel 300 feet from the road right of way.

Without objection, the Trustees assured Mr. Mitchell that there was a possibility that sale would be made, subject to advertisement for objections only, upon determination of a fair price and preparation by Mr. Fred of the regular application forms.

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PINELLAS COUNTY - By Deeds 19683 dated April 8, 1955, and 20018 dated March 20, 1956, the Trustees conveyed to Edward F. McNeil two contiguous parcels of sovereign land in Sections 31 and 32, Township 30 South, Range 15 East, Boca Ciega Bay. George A. Dice et ux and E. A. Rittenhouse et ux, were record title holders of the 5.04 acre parcel, the southerly part of which lay approximately 150 feet within the right of way of the West Coast Intracoastal Waterway.

West Coast Inland Navigation District informed the Trustees that the owners agreed to convey the whole area back to the Trustees in exchange for new deed moving the parcel outside of right of way.

Upon motion by Mr. Larson, duly adopted, the Trustees authorized the exchange of deeds, which was recommended by the Director.

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PALM BEACH COUNTY - Pelican Bay Tract. On behalf of Richlands, Inc., Senator Fred O. Dickinson, Jr., by telegram on October 17 requested another extension of time, presumably for removal of equipment and improvements classed by Attorney General as subject to removal under lease which expired June 30, 1960, and which lease required removal before expiration. Telegram stated that Richlands was unable to get on the land with trucks and labor. Flooding resulted from cut in levee by East Beach Drainage District, which the district had agreed to repair and have flood water pumped from the tract. Inquiry by staff concerning the flood disclosed that main pumps were idle at Pelican Bay culvert No. 12-A and pump house boarded up and locked, preventing new lessee from having inspection made to plan for installation of new pump.

The flooding and failure of Richlands to remove its items was not chargeable to Trustees who, on August 9, 1960, authorized new lease subject to removal of the Richlands' items by October 28, Trustees having subsequently allowed extension of removal time to November 9, any items remaining at end of said period to be forfeited by Richlands, Inc., and to become property of Trustees subject to disposition without obligation to Richlands.

William C. Harris, attorney for new lessees, Robert D. Apelgren and Edgar Wilder, was present. His clients were unable to occupy and operate the land until former lessee removed its equipment, sold it to new lessees, or forfeited it. Mr. Apelgren requested lease be made effective November 10 and advised that main pump could be removed from its location on levee right of way property of Trustees.

Extensions of more than four months had previously been granted, and the Trustees were opposed to any further extension, which would constitute loss of rental of \$6506.50 per month under the new lease as well as prevent new lessee from operating under the lease.

Upon motion by Mr. Thompson, seconded by Mr. Green and adopted unanimously, the Trustees denied request of Richlands, Inc., for further extension of time to remove equipment classed as removable. Further, the Board recognized that the new lessee would be entitled to some consideration, and Governor Collins suggested that a committee composed of the Commissioner of Agriculture, the Comptroller and the Director study the matter and make recommendation to the Board. It was so ordered.

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TRUSTEES' FUNDS - Authority was requested for expenditure of Trustees' funds in the sum of \$12,100.00 as the State's part in cooperative agreement with United States Geological Survey for the program of investigation of water resources of important lakes in Florida for the 1960-1961 fiscal year. Of said amount, \$4,200.00 would be matched on fifty percent basis by Federal funds; the sum of \$7,900.00 would be on twenty-five percent basis to be matched by local contributions, providing a total of \$15,800.00 to be matched by Federal funds. Total Federal matching funds would be \$20,000.00.

Without objection, the Trustees authorized expenditure of Trustees' funds in the amount of \$12,100.00 for the cooperative water resources investigations by U. S. Geological Survey.

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TRUSTEES' EQUIPMENT - Without objection, the Trustees authorized purchase for the Trustees' office of four steel file cabinets at \$96.10 less 15% each, or net total \$326.74.

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TRUSTEES' FUNDS - State Office Building Expediter William Armstrong obtained bids for purchase of new eight-cylinder automobile, without trade allowance, for use in work of Board of Commissioners of State Institutions. The Director recom-



mended that in event a bid was accepted for purchase with Trustees' funds and Trustees were to bear operation and maintenance costs, title be in name of Trustees and the amounts be made an account for reimbursement.

Upon motion by Mr. Larson, seconded by Mr. Green and duly adopted, the Trustees approved purchase of the automobile with title to be registered in name of Trustees and the purchase, operation and maintenance costs be reimbursed to the Trustees.

CAPITOL CENTER - Comptroller Green brought up the matter of the former Rose property on Monroe Street where the building had been razed and the remaining rubble was unsightly. It was suggested that the State Road Department be asked to cooperate with the Trustees and the Construction Division of the Board of Commissioners of State Institutions in clearing and landscaping the lot before the first of the year. Governor Collins asked that the State Road Department be advised of the Board's request and that he fully concurred.

Mr. Green also raised question concerning the A. Bernard Byrd property, Lot 130 and West 50 feet of Lot 129, Original Plan of City of Tallahassee, and Assistant Attorney General McLane advised that the Trustees held purchase option and that completion of acquisition was anticipated.

Without objection, the Trustees authorized that the State Road Department be requested to assist in clearing and landscaping the former site of the Rose building; also, the Trustees authorized advertisement for bids to demolish, salvage and clear the Byrd property and that such work proceed as soon as the sale was closed.

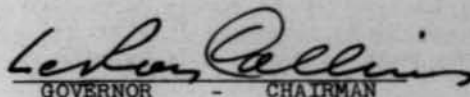
#### SUBJECTS UNDER CHAPTER 18296

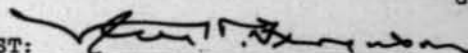
Upon motion by Mr. Larson, duly adopted, the Trustees approved Report No. 769 listing four bids for sale of Murphy Act land, and authorized execution of deeds corresponding thereto.

POLK COUNTY - The Director requested authority for issuance of disclaimer of a parcel of land containing approximately 3.42 acres in Northwest corner of Section 13, Township 29 South, Range 23 East, the Attorney General having approved disclaimer in the name of the State of Florida as a suitable disposition. The land was double assessed and certified to the State under the Murphy Act by tax sale certificates in 1915 and 1933, notwithstanding return of the land for taxes, assessment and payment of taxes by Atlantic Coast Line Railroad for said years. Without knowledge of the double assessment, the land was sold under the Murphy Act. Suit to quiet title was instituted by the Railroad against Trustees in Circuit Court of Polk County, and subsequently dismissed with prejudice.

Without objection, the Trustees authorized issuance of disclaimer as approved by the Attorney General.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office, at the Capitol.

Present:	LeRoy Collins	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Lee Thompson	Commissioner of Agriculture

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Van H. Ferguson	Director-Secretary
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#### LAND SALES

MARTIN COUNTY - File No. 688-43-253.12. On September 20 the Trustees considered offer of the appraised price of \$350.00 per acre from Edith Segerstrom, abutting upland owner, for purchase of a parcel of submerged land in the Indian River in Sections 22 and 23, Township 37 South, Range 41 East, containing 0.70 of an acre within the established bulkhead line. The land was advertised in The Stuart News, proof of publication was filed with the Trustees, and no objections to the sale were received.

Central and Southern Florida Flood Control District waived objection to the proposed sale.

Upon motion duly adopted, the Trustees confirmed sale of the advertised parcel to the riparian owner at the appraised price.

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PALM BEACH COUNTY - File No. 709-50-253.12. On September 20 the Trustees considered offer of the appraised price of \$2150.00 from Samuel A. Manalan, for a parcel of submerged land in Section 15, Township 43 South, Range 43 East, 0.214 of an acre within the established bulkhead line. The land was advertised in The Palm Beach Post and proof of publication was filed with the Trustees.

The Director recommended deferment until receipt of information as to the grounds for the objection from City of West Palm Beach filed by telegram on this date.

Without objection, the Trustees deferred action for further information from the City of West Palm Beach.

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PINELLAS COUNTY - File No. 745-52-253.12. William P. Hayes, Trustee, riparian upland owner, applied to purchase a parcel of submerged land in Section 27, Township 28 South, Range 15 East, containing 4.3 acres in St. Joseph Sound within the established bulkhead line of the City of Dunedin, appraised at \$1000.00 per acre. The Pinellas County Water and Navigation Control Authority approved and advertised the purchase application for hearing before Trustees on September 27, and presentation was deferred for obtaining appraisal. Filed with the Trustees were proof of publication and transcript of county hearing showing no objections made to the sale.

The Trustees questioned whether the price was sufficient, and without objection action was deferred for further information.

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PINELLAS COUNTY - File No. 746-52-253.12. Deferred from last week was application by Wallis L. Skinner, abutting upland owner, to purchase 0.8 acre parcel of submerged land in St. Joseph Sound in Section 27, Township 28 South, Range 15 East, within the established bulkhead line of the City of Dunedin. No protests were made at the county hearing or filed with Trustees.

The Trustees questioned whether the price of \$1500.00 per acre was sufficient, and without objection action was deferred for further information.

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PINELLAS COUNTY - File No. 747-52-253.12. Deferred from last week for further consideration was application by F. L. Skinner, abutting upland owner, to purchase 2.06 acres of submerged land in St. Joseph Sound in Section 27, Township 28 South, Range 15 East, within the established bulkhead line of the City of Dunedin. No protests to the sale were made at the county hearing or filed with the Trustees.

The Trustees questioned whether the price of \$1000.00 per acre was sufficient, and without objection action was deferred for further information.

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#### BULKHEAD LINES

PASCO COUNTY - On application by Julius Wetstone, Trustee, owner of uplands in Sections 5 and 8, Township 25 South, Range 16 East, fronting the Gulf of Mexico, the Board of County Commissioners of Pasco County by Resolution on May 10, 1960, fixed a bulkhead line in the gulf offshore from applicant's upland, reciting in the resolution that there were no objections by interested parties and that applicant had agreed to convey to the County Board for public beach and recreational facilities two per cent of the area which might be purchased from the Trustees, including ten per cent of the gulf frontage filled by applicant. On September 20 the Trustees reviewed the bulkhead line and requested applicant to submit plan for a reduced area.

The Director stated that the applicant accepted 1000-foot cutback and submitted a tentative development plan, and recommendation was that Trustees give tentative approval to the revised, reduced bulkhead line offshore from Mr. Wetstone's uplands which would be a part of the county over-all bulkhead line.

Upon motion duly adopted, the Trustees tentatively approved as a maximum bulkhead line the revised line offshore from uplands of the applicant as shown on the map submitted, and directed that the matter be referred back to the county with suggestion that the revised reduced line be included as a unit of the over-all line and be adopted by county resolution without further advertising in accordance with the opinion of the Attorney General.

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PASCO COUNTY - Bulkhead Line and Application to Purchase. File No. 600-51-253.12. Presented to the Board for decision, in pursuance of action on October 18, was the bulkhead line established on August 9, 1960, by Board of County Commissioners of Pasco County offshore from uplands of R. E. Maxwell, B. I. Mickler, L. H. Mickler, A. C. Scarr, E. J. Harrison, H. A. Summers and E. D. Wonders in Sections 13, 23 and 24 of Township 26 South, Range 15 East, for which the county published notice on April 14, 21, 28 and May 5, 12 and 19, 1960. The County fixed a line for the Maxwell upland on February 10, 1960, reaffirmed it on August 2, 1960, and the Trustees took the line under advisement and suggested that an area bulkhead line be submitted between the established Burkland line and Bailey's Bluff, the line under consideration on this date complying with Trustees' request.

The Trustees having allowed several lengthy hearings at which the Mickler interests protested any extension of bulkhead line, sale or filling, and no compromise having been reached, the Trustees directed that there be no further notice or hearings and that the full Board would make a decision.



The Director called attention to petitions filed by counsel for Mr. Mickler at the October 18 meeting and to the paid newspaper advertisement by Mr. Mickler, also to counsel's charge that when the county fixed the line, notice should have been given by registered or certified mail to all riparian owners within 1000 feet of the property - which was a requirement for sales under the Bulkhead Law rather than for fixing of bulkheads.

The Director recommended formal approval of bulkhead line adopted by the county for the area from the established Burkland line to Bailey's Bluff; also, he recommended sale to Mr. Maxwell subject to advertisement for objections on his offer of \$150.00 per acre for 330 acres, more or less, of submerged land between applicant's uplands in Sections 13 and 24 of Township 26 South, Range 15 East and the bulkhead line. Attention was called to applicant's proposal that an open water strip be left between the proposed purchase and the submerged land in front of Mickler uplands, and Mr. Ferguson recommended that if Maxwell would file written consent for dedication of the open water strip, the Trustees might dedicate the strip for perpetual use for public navigation.

Upon motion unanimously adopted, the Trustees formally approved the bulkhead line fixed on August 9, 1960 by Pasco County Commission offshore from existing lands abutting on navigable waters in Pasco County, Florida owned by Robert E. Maxwell, Bart L. Mickler and Lillian H. Mickler, Alma C. Scarr and E. J. Harrison, Harry A. Summers and E. D. Wonders, from the Burkland bulkhead line to Bailey's Bluff Subdivision, described as follows:

Commence at the Northeast corner of fractional Section 13, Twp. 26 S., Rge. 15E., Pasco County, Florida; thence run North 89°40'56" West, 5,279.94 feet for a Point of Beginning of Bulkhead Line; thence South 25°00'00" West, 7,432.28 feet; thence South 58°39'40" West, 2,071.07 feet; thence South 40°58'03" West, 582.92 feet to the Northwesterly extension of the Northeasterly line of Lot 23, Bailey's Bluff Estates Unit No. 3, as same is shown on the plat recorded in Plat Book 6, Page 58, Public Records of Pasco County, Florida; thence South 27°33'57" East 255.44 feet to the most Northerly corner of said Lot 23 for the Point of Ending of Bulkhead Line.

Also, the Trustees authorized advertisement for objections only of the parcel applied for by R. E. Maxwell.

#### MISCELLANEOUS

DESOTO COUNTY - Assistant Attorney General Ralph M. McLane reported concerning the case of Toffel vs. Trustees in which the decree entered October 17, 1960, in the Circuit Court was adverse to the Trustees, and offices of Attorney General and Trustees being concerned with the far-reaching importance of the decree in the future, it was recommended that appeal be taken. The lawsuit, brought in 1957 by owners of original government lots who claimed accretion to the lots, involved grossly erroneous meander of west bank of Peace Creek, and areas originally delineated in U. S. survey as Peace Creek sovereignty lands which the U. S. subsequently surveyed as omitted lands and patented to the state as swamp and overflowed lands.

The Director advised that sales had been made by Trustees to two purchasers who held partially paid contracts in good standing, and recommended a moratorium on payment of principal and interest to the contract holders pending outcome of appeal litigation, the contracts to stand without prejudice or penalty until final legal determination.

Attorney General Ervin recommended that an appellate court with state-wide viewpoint should review the decision.

Upon motion unanimously adopted, the Trustees directed that the appeal be taken, and that the Director's recommendations as to the two contract purchasers be approved as action of the Board.

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MONROE COUNTY - Request was made by Chalmers R. Wilson on behalf of Ralph E. Cornish as Trustee, holder of purchase contract No. 22265(387-44), for review of purchase price of \$300.00 per acre under which sale was confirmed August 11, 1959 to a submerged tract in the vicinity of Windley Key, which suffered severe damage in the September hurricane. The third contract payment was due September 15, 1960, and the Trustees on September 20th granted 45-day extension without penalty, to allow purchaser to evaluate the damage.

In view of increase in prices for submerged lands, several sales in the area having been consummated at \$425.00 per acre, the Trustees were not agreeable to any price adjustment to the applicant.

Upon motion by Comptroller Green, duly adopted, the Trustees granted further extension until November 21, 1960, for contract payment due September 15, 1960, without penalty and without change in the schedule for subsequent payments.

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PALM BEACH COUNTY - City of Belle Glade requested dedication of perpetual easement (1) covering parcel 75 by 75 feet in the SE $\frac{1}{4}$  of Section 19, Township 43 South, Range 37 East, for an elevated water tower site and (2) for installation and maintenance of water distribution pipe lines between the tower site and U. S. Highway 441 in said SE $\frac{1}{4}$ , all on lands of Trustees used by Division of Corrections. Division of Corrections and Board of Commissioners of State Institutions approved the installations, the original location having been adjusted to provide requested clearances for State Road Department and South Florida Conservancy District.

The Director recommended perpetual easement for tower site and water distribution pipe lines, the latter to be installed at locations and depths which would not interfere with normal uses of the land by Division of Corrections and Trustees, the construction and maintenance to be done without expense to Trustees, the City to hold the Trustees harmless from all damages or claims arising out of the installation and maintenance, with the easement to be subject to cancellation at option of Trustees upon three consecutive years' non-use for the specified public purposes.

Without objection, the Trustees approved recommendations of the Director as the action of the Board.

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PALM BEACH COUNTY - Ralph O. Johnson, on behalf of client, requested duplicate release of mortgage issued February 2, 1933 but not recorded, and which contained a typographical error. The mortgage secured purchase money due under Deed No. 16779 to Harold J. McCaskill covering NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 1, Township 44 South, Range 35 East, 40 acres. Original release acknowledged full payment, the ledger showing foreclosure was instituted and E $\frac{1}{2}$  of the land reconveyed, half of the principal and part of interest having been paid.

Upon motion by Mr. Larson, adopted without objection, the Trustees authorized issuance of release for handling charge of \$10.00.

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PALM BEACH COUNTY - Pelican Bay Lands. Senator Fred O. Dickinson requested Trustees to reconsider action of November 1 in which extension for removal of improvements by Richlands, Inc., was denied. The Trustees discussed the difficulties encountered in the transition between former lease and new lease, the time (to Nov. 9, 1960) that had been allowed Richlands, Inc., to

remove equipment and improvements classed by the Attorney General as removable and the time the Trustees new lessees, Robert D. Apelgren and Edgar Wilder, could be put into actual tenancy and begin operations under new lease approved on August 9, 1960. Expression of the Board was that from June 30, 1960, expiration date of former lease, until November 9, 1960, was ample time if Richlands had proceeded to get its equipment off the leased lands, that the flooding occurred in late September, that East Beach Drainage District had agreed to repair the cut in levee and have flood waters pumped off, that reports were that new lessees' engineer had been unable to make measurements and install new pumps due to locking and posting of the pump house and main pumps which were on the levee right of way on Trustees' property, and that as an act of good faith Richlands should unlock the locked pump house and pumps and start pumping. The Director pointed out that the new lease was authorized to be effective on November 10, 1960, on which date any improvements remaining would become property of the Trustees.

William C. Harris, attorney for new lessee, requested that the new lease being drafted by the Attorney General's office be issued in the name of Pahokee Farms, Inc., a corporation formed for the purpose of farming the tract, the bid having been made by Apelgren and Wilder for a then-undisclosed group.

Without objection, the Trustees authorized lease in the name of Pahokee Farms, Inc., subject to filing of written request from Apelgren and Wilder, the bidders, assigning the bid to the corporation and subject to approval of Attorney General.

Motion was made and adopted that the above matters be referred to the committee composed of Commissioner Thompson, Comptroller Green, Director Ferguson, with Attorney General to approve the legality of actions, and the committee was directed to take executive action for the Board in line with Trustees' policies, commitments and legal obligations to the new lessee.

TRUSTEES' OFFICE - On October 4 the Trustees authorized bids to be taken for printing minutes of Trustees' meetings from July 1, 1958 through June 30, 1960, Volume 32, to be reproduced by offset from photo-reduction direct from official minutes of Trustees. The invitation to bidders was duly advertised in compliance with law in the Tallahassee Democrat, and the following bids received for work to be done in accordance with the specifications furnished to prospective bidders for 80 copies of which 70 would be paper bound and 10 in full sheepskin binding:

Dixie Printing Company, Inc., Tallahassee	\$6.73 per page
Rose Printing Company, Inc., Tallahassee	6.68 per page.

These firms could produce the bound copies without the official minutes being taken from the City of Tallahassee.

There was discussion of the expense, and the Attorney General stated that printing of the minutes should be continued, in the light of importance of these minutes in certain special fields, such as matters of land titles, litigation, policies and regulations of the Trustees, and the historical value to libraries, attorneys, writers and others.

Motion was made and adopted that the low bid made by Rose Printing Company, Inc., be accepted by the Trustees, based on specifications furnished.

TRUSTEES' OFFICE - Pursuant to authorization of October 4, the Director reported that quotation of \$1400.00 was received from Rose Printing Company, Inc., for 20 additional paper bound copies of the 1956-58 minutes, Volume 31, to be printed from the original plates which had been saved by the firm.



Upon motion duly adopted, the Trustees declined to order any additional copies of Volume 31.

CAPITOL CENTER - Robert H. Brown, Jr., architect-engineer, Board of Commissioners of State Institutions, presented bids received for (1) waterproofing the walls and roof of the existing basement of the former Rose Building, and (2) the structural mechanical and electrical work in the area to be occupied by the telephone switchgear, providing for an electric service large enough to handle the basement and contemplated new building proposed to be extended eastward for accommodating the Trustees' office.

Six bids were received and presented by Mr. Brown, who recommended awarding contract to low bidder, Albritton-Williams of Tallahassee, in amount of \$15,930.00, covering base bid and alternate.

Without objection, the Trustees awarded contract for the waterproofing and electrical work to the low bidder, Albritton-Williams, and authorized payment of the amount of \$15,930.00 from Trustees' funds, subject to supervision of Mr. Brown and the Construction Division, Board of Commissioners of State Institutions.

The Trustees took no action on proposed extension of the basement to construct one-story accommodations for the Trustees' office. However, it was agreed that the existing basement space should be utilized for the telephone switchgear and for storage, and that decision on additional construction would be made later.


SUBJECTS UNDER CHAPTER 18296

ALACHUA COUNTY - State Road Department requested easements for state road right of way required for State Road S-337 in Alachua County, over the following described lands:

1. A portion of the NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 9, Township 10 South, Range 17 East, as described in SRD No. 45, embraced in Tax Sale Certificate No. (Part) 387 of 8-6-28;
2. A portion of the West 100 feet of the SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 9, Township 10 South, Range 17 East, as described in SRD No. 47, embraced in Tax Sale Certificate No. (Part) 377 of 8-1-32.

Without objection, the Trustees authorized issuance of the two easements requested by State Road Department.

Upon motion duly adopted, the Trustees adjourned.

ATTEST:   
DIRECTOR - SECRETARY

  
GOVERNOR - CHAIRMAN

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Tallahassee, Florida  
November 15, 1960

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office, at the Capitol.

Present:	LeRoy Collins	Governor
	Ray E. Green	Comptroller
	Richard W. Ervin	Attorney General

Upon motion duly adopted, the Trustees approved the minutes of the meeting on November 1, 1960.

COLLIER COUNTY - Naples Lodge No. 1782, Loyal Order of Moose, holder of State Permit No. 1390, for construction of an artificial reef, valid for six-month period to expire March 2, 1961, requested four-month extension since hurricane damage in the zone had delayed work on the structure. The State Board of Conservation recommended the extension.

Without objection, the Trustees approved four-month extension of State Permit No. 1390 as requested.

DADE COUNTY - James C. Ellenburg applied for campsite lease of one acre site of a house on pilings on tidal flats in the Biscayne Channel approximately 6500 feet west and 4300 feet south from old Cape Florida lighthouse. Applicant acquired house and recently had new foundation placed under the structure to save it from sinking below water.

The Director advised that lease of a similar one-acre site in the immediate vicinity at \$60.00 per year would expire August 17, 1964, subject to cancellation by Trustees on 120 days notice.

Without objection, the Trustees agreed to lease the one-acre site applied for by Mr. Ellenburg at rental of \$60.00 yearly, subject to termination concurrently with the other lease on August 17, 1964 and subject to cancellation by Trustees on 120 days written notice.

TRUSTEES' POLICY - The Trustees discussed the leasing of offshore areas for campsites on barges or houses on pilings, reports and observations of members disclosing that many were unsightly and appeared unsafe. It was unanimously agreed that the practice should be discouraged.

Without objection, as a matter of policy the Trustees directed that no campsite leases be approved for any future construction of houses on barges or pilings in offshore areas.

DADE COUNTY - File No. 659-13-253.124. Without objection, the Trustees formally approved the City of Miami Resolution No. 32338 dated November 4, 1960, granting permission to fill those submerged bottoms conveyed by the Trustees to Brickell Mansions, Inc., under Trustees' File No. 659-13-253.12.

GULF-CALHOUN COUNTIES - Dead Lakes Water Management District was represented by a delegation composed of Harry H. Saunders, G. U. Parker, Harlan O. Pridgeon, George Y. Core and others. With funds borrowed from the Trustees (see minutes July 22 and August 5, 1958), a legislative appropriation, and local funds, Mr. Saunders explained that the dam was completed at a cost of \$180,000.00, when all obligations were met; that although the State Road Department modified original specifications for the bridge adjacent to the dam by increasing the depth of pilings, the District decided to build the dam according to the original specifications; that after completion and about one month's use the dam did not hold, apparently because the pilings were not deep enough; that it had been necessary to open the floodgates; that the dam was no longer usable and would require immediate work to put it back in condition. Request was made for an additional loan from the Trustees of \$60,000.00, for modification of the agreement to provide for delayed repayment dates, and for emergency action to enable retention of spring floodwaters.

The Trustees questioned the Dead Lakes District representatives

as to possible liability for damages, and whether any more money should be put into a project which had been presented to the Board as a sound investment, without further recommendation from competent engineers.

At the suggestion of Governor Collins, the Trustees directed Mr. Ferguson and Assistant Attorney General McLane to investigate the circumstances of the failure of the dam by consulting representatives from the District, the State Road Department, the engineer and the contractor on the job, to determine where responsibility lay for the failure, and to make recommendation to the Trustees of the practical, sound approach to meet the needs.

It was so ordered.

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LEE COUNTY - Rader and Associates, on behalf of Gulf Guaranty Land and Title Company of Fort Myers, requested an additional 46,000 cubic yards of material under Trustees' Permit No. 1183, for use in the further improvement of the Cape Coral development on the Caloosahatchee River in Lee County. The total accumulative yardage in the permit being over the 100,000 yard figure, based on standard fill material charges the additional material would be at the rate of one cent per cubic yard.

Upon motion duly adopted, the Trustees authorized sale of the additional fill material under the permit, as requested.

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PINELLAS COUNTY - The State Road Department requested easement effective for the duration of construction of Section 6 of Bayway Sec. 15200-2503 covering a dredging area of 23.68 acres, 1000 feet west of centerline of the Bayway project at Cunningham Key. The Director advised that the dredging area lay some distance bayward from bulkhead line recently fixed for Cunningham Key by the Pinellas County Water and Navigation Control Authority.

Upon motion duly adopted, the Trustees authorized issuance of the easement requested by the State Road Department.

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STATE DRILLING LEASE NO. 833 - On November 1, 1960, the Trustees granted a 30-day extension for commencement of an offshore well under Lease No. 833, held by Commonwealth Oil Co. subject to approval of Attorney General. On this date, request was made by J. L. McCord for an additional 30-day extension for necessary preparatory work involving securing permission from a large number of heirs, the city, county, and the required advertising time. The Director recommended the extension, since it was to the best interest of the state to have the offshore drilling proceed.

Without objection, the Trustees granted additional 30-day extension as requested.

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CAPITOL CENTER - Upon recommendation of Coordinator Terry Lee, of the Board of Commissioners of State Institutions, and based on letter from H. Pierce Ford, appraiser, the Trustees approved payment from Trustees' funds of \$45,000.00 for the purchase of capitol center property on East Gaines Street between Monroe and Calhoun Streets described as Lots 182 and 183, Subdivision of the Old Plan of City of Tallahassee, from the estate of Miss Daisy Ferrell, subject to approval of the Attorney General as to details of title and instruments.

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TRUSTEES' OFFICE - The Trustees discussed the proposed construction of one-story building to accommodate the Trustees' offices, and Robert H. Brown, Jr., architect-engineer, Board of Commissioners of State Institutions, explained the planning for use of the site on Monroe Street referred to as the Rose lot.



It was pointed out that for more efficient operation the Trustees' office should be allowed suitable accommodations together near the Capitol, rather than in three different buildings as it was temporarily located, and the Attorney General recommended the present plan for the proximity to the Capitol, utilization of basement and vacant lot without loss of parking areas or scenic loss from the Capitol or Parkway.

Governor Collins expressed dissatisfaction of the one-story proposal and suggested that the Trustees double the amount of money for construction of a larger building on another site in the Capitol Center.

Without objection, the Trustees appointed Comptroller Green, Director Ferguson and Mr. Brown and Coordinator Terry Lee as a committee to survey the situation and make a firm recommendation at the next meeting.

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CAPITOL BUILDING - Trustees' Funds. Reported for the minutes was action taken by a majority of the Trustees of Internal Improvement Fund and confirmed by Board of Commissioners of State Institutions on November 15, 1960, authorizing contract with the Bear Construction Company, Inc., Tallahassee, in the low bid amount of \$25,490.00 for alterations to offices in the Capitol Building for the Commissioner of Agriculture, payable from funds of the Internal Improvement Board.

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Upon motion duly adopted, the Trustees adjourned.

ATTEST:

  
DIRECTOR- SECRETARY

  
GOVERNOR - CHAIRMAN

Tallahassee, Florida  
November 22, 1960

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	LeRoy Collins	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Lee Thompson	Commissioner of Agriculture

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Van H. Ferguson	Director- Secretary
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Upon motion duly adopted the Trustees approved the minutes of the meetings on November 8 and 15, 1960.

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SWAMP AND OVERFLOW LAND ACQUISITION - The Director reported that the Trustees had been successful in procuring the following patents from the United States under Act of Congress approved September 28, 1850:

Patent No. 1214223 dated November 4, 1960, covering Islands in mouth of Suwannee River, comprising 270.95 acres described as Government Lots 2 and 3 of Section 26, Government Lots 3, 4, 5, 6 and 7 of Section 35, Government Lots 10, 11, 12, 13, 14, 15 and 16 of Section 36, all in Township 13 South, Range 11 East; Government Lot 6 in Section 31 of Township 13 South, Range 12 East; Government Lots 1, 2 and 3 in Section 1, and Government Lot 1 in Section 2, all in Township 14 South, Range 11 East, Dixie County, Florida:

Patent No. 1214224 dated November 4, 1960, covering "Big Island" adjacent to Howard Frankland Causeway-bridge project, comprising 44.50 acres described as Government Lot 1 in Section 29 South, Range 17 East and Government Lot 1 in Section 6 of Township 30 South, Range 17 East, Hillsborough County, Florida.

Mr. Ferguson explained that the acquisitions were the result of the first patents procured in approximately ten years, the efforts in behalf of the State having been revived in consequence of reorganization of the work of the State Land Office and Trustees with the cooperation of the Governor.

Upon motion unanimously adopted, the Trustees approved the patents which were thereupon delivered to the Commissioner of Agriculture for filing in the official records.

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#### LAND SALES

MONROE COUNTY - Competitive Bids and Objections. File No. 752-44-253.12. On October 11 the Trustees authorized advertisement for competitive bids and objections upon application by Geiger Investments, Inc., by E. R. McCarthy, to purchase a small mangrove key located in the southwesterly bight of Simlar Sound, easterly of Government Lot 2, Section 26, Township 67 South, Range 26 East, Geiger Key, containing 4.94 acres, more or less. The parcel was advertised in the Key West Citizen, proof of publication filed with the Trustees' Office, and no protests to the sale were received.

From the applicant's starting bid of \$200.00 per acre, competitive bidding raised the offer to high bid of \$5050.00 for the parcel made by William P. Carrin of Tallahassee.

Upon motion duly adopted, the Trustees accepted the high bid of approximately \$1022.27 per acre, or \$5050.00 for the parcel and confirmed sale of the 4.94 acre mangrove key to Mr. Carrin.

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DADE COUNTY - File No. 407-13-253.12. On October 11 the Trustees considered offer of the appraised price of \$1000.00 per acre from Raymond G. Williams, abutting upland owner, for purchase of a parcel of submerged land in Dumfoundling Bay in Section 10, Township 52 South, Range 42 East, containing 29.43 acres, more or less, within the established bulkhead line. The land was advertised for objections only in the Miami Herald, proof of publication was filed with the Trustees, and no objections to the sale were received.

Upon motion by Mr. Larson, duly adopted, the Trustees confirmed sale of the submerged land to the applicant at the appraised price offered, \$1000.00 per acre.

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DADE COUNTY - File No. 737-13-253.12. On October 11 the Trustees considered offer of the appraised price of \$7065.00 per acre from Colonial Arms, Inc., abutting upland owner, for purchase of a parcel of submerged land in Biscayne Bay abutting uplands in Section 38, Township 54 South, Range 41 East, City of Miami, containing 0.38 of an acre, more or less, within the established bulkhead line. The parcel was advertised for objections only in the Miami Herald, proof of publication was filed with the Trustees, and no protest to the sale was received.

Central and Southern Florida Flood Control District waived objection to the proposed sale.

Upon motion by Mr. Larson, duly adopted, the Trustees confirmed sale of the submerged land to the riparian owner at the appraised price offered.

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DADE COUNTY - File No. 748-13-253.12. On October 4 the Trustees considered offer of the appraised price of \$228.00 per acre from Thomas O. Berryhill as Trustee, and Frances K. Keister, abutting upland owners, for purchase of a tract of submerged land in Biscayne Bay lying Easterly of and abutting fractional Section 14, Township 56 South, Range 40 East, containing 77.74 acres, more or less, within the established bulkhead line. The land was advertised for objections only in the Miami Herald, proof of publication was filed with the Trustees, and no protest to the sale was received.

Central and Southern Florida Flood Control District waived objection to the proposed sale.

Upon motion duly adopted, the Trustees confirmed sale of the advertised tract to the applicants at the appraised price offered.

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INDIAN RIVER COUNTY - File No. 733-31-253.12. On October 11 the Trustees considered offer of \$415.00, the adjusted appraised price, from Blomar Bay, Inc., abutting upland owner, for a parcel of submerged land in the Indian River in Section 5, Township 33 South, Range 40 East, City of Vero Beach, containing 1.66 acres, more or less. The parcel was advertised for objections only in the Press-Journal, Vero Beach, Florida, proof of publication was filed with the Trustees, and no protest to the sale was received.

Upon motion by Mr. Green, duly adopted, the Trustees confirmed sale to the applicant, based on offer of \$415.00 for the 1.66 acre parcel.

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MONROE COUNTY - File No. 751-44-253.12. On October 11 the Trustees considered application by Little Torch Properties, Inc., abutting upland owner, with offer of the established price of \$300.00 per acre for a parcel of submerged land in Pine Channel lying easterly of and adjacent to Government Lot 1, Section 33 and Government Lot 11, Section 28, both in Township 66 South, Range 29 East, containing 18.5 acres, more or less. The tract was advertised for objections only in the Florida Keys Keynoter, Marathon, Florida, proof of publication filed with the Trustees, and no protest to the sale was received.

Upon motion duly adopted, the Trustees confirmed sale to the applicant, based on offer of \$300.00 per acre for the tract.

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VOLUSIA COUNTY - File No. 750-64-253.12. On October 4 the Trustees considered application by Guy T. Peshek and wife, abutting upland owners, with offer of \$300.00 per acre, the appraised price, or in this instance \$100.00 minimum consideration for the parcel, for purchase of a parcel of submerged land in the Halifax River in Section 3, Township 16 South, Range 33 East, City of Port Orange, lying easterly of and abutting the N $\frac{1}{2}$  of Lot 1, Block 4 of Henry P. Hand's Subdivision as recorded in Map Book 2, page 185, Public Records of Volusia County, containing 0.10 of an acre, more or less. The parcel was advertised for objections only in the News Journal, Daytona Beach, Florida, proof of publication filed with the Trustees, and no protest to the sale was received.

Upon motion duly adopted, the Trustees confirmed sale of the advertised parcel to the applicants, based on minimum consideration of \$100.00 for the parcel.

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PINELLAS COUNTY - Discussion re submerged land sales, dredging and filling.

State Senator C. W. (Bill) Young, Representatives James T. Russell, Charles R. Holley, Douglas J. Loeffler, and others from Pinellas County asked to be heard in behalf of many citizens

11-22-60



opposed to bulkhead line extensions, submerged land sales, dredging and filling which had been and would, in the future, be referred to the Trustees by the present Pinellas County Water and Navigation Control Authority. Senator Young explained that as result of recent elections, Commission members opposed to filling were elected and, in view of the majority of the citizens having so indicated their protest to indiscriminate sales and filling, the Trustees were urged to hold up action on submerged land sales or fill permits which were not in the public interest. He presented a list of applications which he charged had been rushed through, some of which had not yet been referred to the Trustees for approval, and asked that they be referred back to the Authority for reconsideration.

The Trustees pointed out that the Board had always opposed indiscriminate filling, had been mindful of the need for conservation of public lands, that some of the sales many years back were excessive and in one case in particular the Board had joined in litigation unsuccessfully, to set aside an excessive sale, that in many cases the Trustees had insisted on public areas being dedicated. Governor Collins said that as basic policy, the Trustees relied on local authorities to fix bulkhead lines and consider sales and fill permits, since the Pinellas County Special Act and the Bulkhead Act were administered first at the local level.

The Director reported that transcripts of county hearings on some applications on the day's agenda showed no objections. He explained that the staff evaluated each application carefully with attention to the individual factors involved in the particular location, studied transcripts of local proceedings, and had consistently urged citizens to actively participate in the local hearings.

Senator Young expressed appreciation that the Trustees required the setting aside of public use areas, had exercised their judgment in the public interest, and commended a resolution adopted by the Trustees for administration and protection of submerged land in another county.

The Trustees thanked the delegation and, without objection, stated as their position that while no arbitrary moratorium on applications appeared advisable, any action taken would be after careful consideration of the public interest, guarding against indiscriminate filling, and that the Trustees would continue the policy of basically relying on recommendations of local authorities.

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PINELLAS COUNTY - File No. 784-52-253.12. Referred to the Trustees for approval was application of M. A. Rothman and wife, and Richard Leavengood, abutting upland owners represented by McClure and Turville, with offer of the appraised value of \$500.00 per acre for two contiguous parcels of submerged land in Boca Ciega Bay in Section 13, Township 31 South, Range 15 East, landward of the established bulkhead line, Parcel 1 containing 0.25 acre and Parcel 2 containing 0.13 acre.

Pinellas County Water and Navigation Control Authority approved and advertised the sale for consideration by the Trustees on this date, and the transcript of local hearing cited no protests.

Upon motion by Mr. Larson, adopted without objection, the Trustees confirmed sale to the applicants at the appraised price offered.

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PINELLAS COUNTY - File No. 768-52-253.12. On November 1 the Trustees deferred action on offer of \$1025.00 per acre from Union Trust Company, abutting upland owner represented by Adrian S. Bacon, for purchase of 7.9 acres of submerged land in Boca Ciega Bay in Government Lot 1, Section 9, Township 31 South, Range 15 East, within the City of Madeira Beach bulkhead line. Pinellas County Water and Navigation Control Authority approved the sale and issued fill permit No. PDF110.

The City of Madeira Beach by Resolution passed on November 3, 1960, at regular meeting of the Board of Commissioners of the city recommended the application for approval by the Trustees. The map submitted by the applicant was again examined, and it was pointed out to the delegation from Pinellas County that this sale and filling had firm approval at the local level.

Upon motion by Mr. Larson, adopted without objection, the Trustees confirmed sale to Union Trust Company for the price offered, \$1025.00 per acre, and formally approved the fill permit issued by the County Authority.

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PINELLAS COUNTY - File No. 754-52-253.12. On November 1 the Trustees deferred action on application by Normandy, Inc., adjacent upland owner, to purchase a parcel of submerged land in Boca Ciega Bay in Section 6, Township 32 South, Range 16 East, City of St. Petersburg Beach, out back at the county level to 1.45 acres. Transcript of Pinellas County Water and Navigation Control Authority hearing showed no objections, two City Commissioners participated in hearing in behalf of sale and dredging out shoal areas, and letter of City Manager to the Trustees, as well as resolution of the St. Petersburg Beach Chamber of Commerce, affirmed that the purchase and filling was in the interest of the municipality to alleviate shoaling and improve navigability. Based on appraisal of land in the immediate vicinity, a value of \$1200.00 per acre was recommended.

Objection to the sale was filed November 7 on behalf of the Brightwater Beach Estates Association.

Upon motion duly adopted, the Trustees deferred consideration for further information.

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PINELLAS COUNTY - File No. 743-52-253.12. On November 1 the Trustees deferred action on application by William B. Clautice and wife, adjacent upland owners, to purchase a 15.2 acre tract of submerged land in Boca Ciega Bay in Section 31, Township 31 South, Range 16 East, for extension of existing single finger-type fill (Bahia Shores) toward the established bulkhead line in the City of St. Petersburg Beach.

Transcript of Pinellas County Water and Navigation Control Authority hearing showed no objections to the sale, two City Commissioners participated in hearing in behalf of sale and dredging out shoal areas, and letter of City Manager to the Trustees, as well as the resolution of St. Petersburg Beach Chamber of Commerce, affirmed that the purchase and filling was in the interest of the municipality to alleviate shoaling and improve navigability.

The Director recommended adjustment of the appraised price of \$1200.00 to \$950.00 per acre by reason of certain sewage requirements not taken into account by appraisal report.

Objection to the sale was filed November 7 by Jacob Kartman, of Brightwater Beach Estates Association.

Upon motion duly adopted, the Trustees postponed consideration for further information.

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PINELLAS COUNTY - File No. 753-52-253.12. On November 1 the Trustees deferred action on application by Three Palms Point, Inc., adjacent upland owner, to purchase a 15.6 acre tract of submerged land in Boca Ciega Bay in Section 31, Township 31 South, Range 16 East, for extension of existing fill toward the established bulkhead line in the City of St. Petersburg Beach, appraised at \$1200.00 per acre.

Transcript of Pinellas County Water and Navigation Control

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Authority hearing showed no objections to the sale, the City having recommended sale and filling as a means of shoal reduction. Letter of City Manager to the Trustees affirmed action of City Commission finding the application and proposed dredging to be in the public interest to alleviate shoaling and improve navigability.

Objection to the sale was filed November 7 on behalf of Brightwater Beach Estates Association.

Upon motion duly adopted, the Trustees postponed consideration for further information.

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PINELLAS COUNTY - Bulkhead Line and Application to Purchase.  
File No. 213-52-253.12.

On behalf of Paul F. Randolph, Trustee, record owner of Moonshine Island, H. H. Baskin, Sr., requested reconsideration by the Trustees of the bulkhead line and application approved by Pinellas County Water and Navigation Control Authority June 26, 1958, to purchase a tract of St. Joseph Sound submerged land in Sections 32 and 33, Township 28 South, Range 15 East, and Sections 4 and 5 in Section 29 South, Range 15 East, 172.65 acres, for addition to Moonshine Island, within the county-approved bulkhead line.

Many objections were filed in 1958 before the Trustees acted upon the City of Dunedin Caladesi-Honeymoon Isles project, and on April 28, 1959, the Trustees deferred action on Mr. Randolph's application without prejudice, for reconsideration if a reasonable proposition could be worked out for construction of a causeway and it was shown that the City of Clearwater favored it.

The Director pointed out that action on bulkhead line would require consideration of purchase application, fill plan, assurance of access and probably written consent of applicants to a portion of the area within bulkhead line being used for the new improved channel between Caladesi and Honeymoon at Big Pass; that under an agreement between Paul Randolph as Trustee, Tom B. Slade as Trustee, and Curlew Properties, Inc., dated Feb. 12, 1959, the parties accepted the general location of the channel as recommended by Coastal Engineering Laboratory provided no portion was located through the upland of Doyle E. Carlton; that according to the laboratory report the Randolph Fill in itself would adversely affect stability of Big Pass and could be recommended from the coastal engineering standpoint only if combined with improvement to increase tidal flow through the Pass. The proposed closure of Hurricane Pass and construction of causeway (Caladesi-Honeymoon Project) were cited as changes favorable to improvement of Big Pass.

The Director advised that the staff had received no offer from Mr. Randolph, had not procured new appraisal to take into account reported current offering of lands in the vicinity nor issued notices to the many objectors concerning this meeting, and that the staff was not in position to make favorable recommendation until causeway plans were submitted as requested by the Trustees on April 28, 1959.

Messrs. Randolph, Baskin and H. C. Gee, consulting engineer, discussed the development plans, proposed channel improvement at Big Pass with resulting spoil material to be disposed of, future prospects for access connections, pointed out that the cities of Dunedin and Clearwater both had favored the bulkhead line and anticipated improvement to navigation, that it would be advantageous to Clearwater as a tie-in with the large Caladesi-Honeymoon development to the north.

The Trustees examined the maps submitted, and it was noted that Moonshine Island comprised only about twenty-five acres of upland.



Without objection, the Trustees deferred action for procurement of a current appraisal.

PINELLAS COUNTY - File No. 781-52-253.12. Formal approval was requested of a bulkhead line fixed October 13, 1960 by Pinellas County Water and Navigation Control Authority around Cunningham and Listen Keys in Boca Ciega (Tampa) Bay in Section 32, Township 32 South, Range 16 East, between Mullet Key and Tierra Verde Island development, encompassing approximately 177.55 acres of submerged land, purchase of which was approved by the County Authority and sale advertised for consideration by Trustees on September 13, 1960 (file received by Trustees on November 3).

The Director reported that the application was incomplete, maps not defining the Cunningham Key separate ownerships nor areas sought for allocation and sale to the following riparian owners: Arlie S. Parkerson, Alberta Weyl, W. Furman Betts, Arthur W. and Pearl Elliott and Ed C. Wright, the applicants; no certificate of ownership by licensed title company; that since filling was anticipated, attention was directed to the ratio of submerged land to upland; that Cunningham Key included only about 22 acres of which about 12 would be required for the Bayway project right of way along the axis of Cunningham Key; and protest was received from Mrs. Beth Stiles of Largo in opposition to bay fills. The Director advised that the staff could not recommend the bulkhead line, but rather deferment of action to refer the matter back to the County Authority for consideration of reduction.

In discussion of the bulkhead line and application layout, Mr. Betts, Consulting Engineer Gee and Mr. Wright stated that the development would benefit the Mullet Key recreation area by providing accommodations, that there was not excessive filling in the lower Tampa Bay area, that there were no objections at the local hearing except as to possible private ownership of Listen Key, which was state-owned sovereignty, and argued that a suggested cut-back of the "fingers" would be unsound to the applicants in view of the small size of the proposed development.

Governor Collins pointed out that in considering the relationship of submerged land to upland ownership, the application appeared out of balance.

Without objection, the Trustees took the bulkhead line and purchase application under advisement for obtaining current appraisal.

#### APPLICATIONS TO PURCHASE

DADE COUNTY - File No. 647-13-253.12. George Helker, abutting upland owner represented by Richard H. Hunt, applied to purchase a parcel of submerged land in Biscayne Bay in Section 28, Township 52 South, Range 42 East, 3.6 acres within the established bulkhead line, appraised at \$2500.00 per acre.

Without objection, the Trustees authorized advertisement for objections only.

INDIAN RIVER COUNTY - File No. 782-31-253.12. Robert E. Beesley et al, abutting upland owners, represented by Lloyd & Associates, applied to purchase a parcel of submerged land in the Indian River in Section 25, Township 30 South, Range 38 East, 0.63 of an acre lying landward of the established bulkhead line, appraised at \$150.00 per acre.

Without objection, the Trustees authorized advertisement for objections only.

MANATEE COUNTY - File No. 776-41-253.12. Manatee Fruit Company, abutting upland owner represented by James A. Howze, applied to purchase two parcels of submerged land in Sarasota Bay and Perico Bayou in Section 27, Township 34 South, Range 16 East, comprising 31.5 acres within the established Manatee County bulkhead line, appraised at \$400.00 per acre.

Without objection, the Trustees authorized advertisement for objections only.

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MONROE COUNTY - File No. 783-44-253.12. Producers, Inc., and Paul Schmitt, abutting upland owners represented by G. A. Crawshaw, offered the established price of \$300.00 per acre for 11.04 acres of submerged land in the Bay of Florida in Section 18, Township 63 South, Range 38 East, and in Section 13, Township 63 South, Range 37 East, Plantation Key.

Without objection, the Trustees authorized advertisement for objections only.

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#### LEASES

LEASE AUDITS. On November 1, 1960, the Director was asked to investigate whether the State Auditing Department might check records of holders of sand and gravel leases of Trustees and Board of Education lands, with payment to Auditing Department for services based on time expended. Mr. Ferguson was advised that the current schedule of that department made use of its staff impracticable; however, that department offered to train a member of the Trustees' staff to perform such work.

Motion was made and adopted that A. L. (Jack) Buford of the Trustees' staff be authorized to receive instruction from the State Auditing Department and be given proper credentials to evidence his authority to make audits on behalf of the Trustees of sand, gravel and also mineral leases.

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MONROE COUNTY - Des Rocher Sand Company, holder of Sand Lease No. 1296 expiring December 7, 1960, requested one-year extension of the lease covering two areas southwest from Boca Chica Key near Boca Chica Channel, with royalty of 15¢ per cubic yard and \$25.00 monthly minimum.

Without objection, the Trustees authorized one-year extension of Sand Lease No. 1296 on the same terms and conditions.

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STATE DRILLING LEASE NO. 833 - Jett Drilling Company, Inc., advised that location had been established for test well under agreement with Commonwealth Oil Co., holder of Lease 833 which, on November 1, was granted extension to December 29, 1960 for commencement of well. Proposed well was located on upland about 400 feet from waters of Escambia Bay, to be pooled under the lease provisions whereunder the same royalties would be payable to Trustees as if the well were located on the leased bay bottom. Drilling to depth of 6000 feet in accordance with lease provisions would constitute compliance with requirement of a well under Lease 833 within the 2½ year period of the primary term for which extension was granted. Also, request was made for consent to assignment by Commonwealth Oil Company to Jett Drilling Company.

The Director recommended approval of the pooling subject to payment of any royalties on the same basis as if well were drilled on leased bay bottom, that performance as outlined be accepted as compliance with lease requirement of well drilled for the 2½ year period for which extension was granted; also, that Trustees consent to assignment subject to assignee filing formal acceptance of the transaction for approval of the Trustees in the usual manner.

11-22-60

Without objection, the Trustees accepted the recommendations of the Director as the action of the Board.

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STATE SALVAGE OR TREASURE LEASE NO. 1329 - Dr. K. G. Kelso, on behalf of Heal Eight Salvage Company, holder of Lease No. 1329 covering areas in Martin, St. Lucie and Indian River Counties, reported recovery of some items and suggested examination and evaluation by the Smithsonian Institute. Under the lease, Trustees receive royalty of 25% of fair market value but disposition may not be made by lessee until Trustees advise whether royalty should be paid in cash or recovered materials.

The Director recommended that the lessee hold the items for inspection by a representative of the Trustees and subject to the same being packed for shipment to a museum for evaluation and return; that the Trustees staff and the lessee arrange for division of the shipping costs involved; and that basis for royalty be determined after evaluation.

Upon motion by Mr. Green, duly adopted, the Trustees approved the recommendations and referred to Mr. Ferguson the handling of details.

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#### MISCELLANEOUS

DADE COUNTY - Hall, Hartwell & Douglas, on behalf of (1) Albert Enterprises, Inc., owner of Tracts C. and D of Bel Harbour Ocean Front, Plat Book 57, Page 68, and (2) Robin Enterprises, Inc., owner of Tract E. of said subdivision, applied for quitclaims or disclaimers covering a strip of land approximately 130 feet wide along the Atlantic Ocean immediately south of Bakers Haulover Inlet.

Based on reports from the U. S. Engineers, Coastal Engineering Laboratory, and study of maps and plats submitted, the Trustees' staff determined that the strip of land, submerged in recent years but filled in 1960 by Dade County in connection with work at and adjacent to the Inlet, remained in private ownership since the loss of former private upland was the result of 1926 hurricane and avulsion caused by modification of the Inlet (which accelerated erosion). Assistant Attorney General McLane was in agreement with the finding. Dade County waived claim to any of the strip of land.

Without objection, the Trustees deferred action for applicant to furnish copy of recorded plat to clear questions as to boundary of private ownership.

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DADE COUNTY - Monterrey Motel, represented by Attorney John A. Madigan, Jr., applied for state permit to construct two new docks adjacent to existing docks along bulkhead, to extend 25 feet into Biscayne Bay from applicant's Lots 39, 40, 41 and 42 of Amended Plat of Belle Isle, an offshore development accessible from Venetian Causeway. Of the applicant's 360-foot waterfront (85 feet now consisting of docks and boatslips), the proposed new docks would border the remainder of the frontage except for 5 feet at each end adjacent to other owners. The Director recommended reduction, and Trustees approved limiting new construction to within 30 feet of adjacent ownerships.

Objection was filed by Mrs. Jessie B. Baumann, owner of the adjacent lot on the east, on the ground that the construction would damage her property by backwash of waves.

Without objection, the Trustees found that dock on open trestle limited to 30 feet from each side would not materially affect wave backwash and approved state permit to Monterrey Motel for \$100.00 processing fee, subject to reconsideration in event the objector filed facts within ten days warranting further consideration.



DUVAL COUNTY - Mesco, Inc., applied for state permit to construct loading pier, for which city permit had been granted, at the applicant's upland on St. Johns River in Section 45, Township 2 South, Range 27 East, approximately 4400 feet west of Commodore's Point, City of Jacksonville, within the pierhead line.

Without objection, the Trustees authorized issuance of permit for the commercial dock or pier for the regular processing fee of \$100.00.

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GLADES COUNTY - Central and Southern Florida Flood Control District requested perpetual easement for right of way for Levee L-49 over a strip of land 900 feet in width in unsurveyed reclaimed lake bottom lands or submerged lake bottoms of Lake Okeechobee in Sections 2, 3, 8, 9, 10, 17 and 18 of Township 40 South, Range 33 East and Sections 25, 35 and 36 of Township 39 South, Range 33 East, Glades County. The District requested easement for construction, maintenance and operation of canals, levees, roads, parks and recreational areas.

Without objection, the Trustees authorized the easement as requested, and granted to the District right of assignment to other public agencies, under license or permit, for roads, parks and recreational areas for public use.

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OKEECHOBEE COUNTY - State Road Department applied for (a) dedication of right of way required for its Sec. 91564-2601 "Bill Williams Road" across Lot 9 of Block 8 and Lot 20 of Block 57, Okeechobee Gardens in Section 13, Township 37 South, Range 35 East, 0.14 of an acre; and (b) perpetual easement for use of all of Block 8 less East 33 feet of Lot 9 in said Okeechobee Gardens as a borrow pit for construction and maintenance of state roads. It was explained that the dedication and perpetual easement would amend instruments authorized on October 11, 1960, to conform to changes in plans, the original instruments having been returned unrecorded, for cancellation.

Without objection, the Trustees authorized issuance of dedication and easement as requested by the State Road Department.

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PINELLAS COUNTY - THE Town of Indian Rocks Beach South Shore adopted Resolution on November 15, 1960, requesting dedication of the easterly extension of 197th Street over submerged bottoms of The Narrows extending out to the previously established bulkhead line.

Without objection, the Trustees approved dedication to the Town of Indian Rocks Beach South Shore for public street purposes over the parcel requested.

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PINELLAS COUNTY - Mayor Broome, Attorney L. D. Childs, Mr. Schuster, a private owner, and others presented request from City of Madeira Beach for Trustees' participation under Section 253.65 in an approved project for construction of a combination groin-jetty and artificial nourishment of the adjacent shoreline at Johns Pass estimated to cost \$39,537.50. Section 253.65 provides authority for the Trustees to participate with surplus funds, on a matching basis, not exceeding 50% of the cost of the project.

It was explained that erosion studies of the area had been made by U. S. Army Corps of Engineers, by Coastal Engineering Laboratory, and by G.W. Clifford & Assoc., consulting engineer for the city; that shoreline recession and storm damage was great and the studies reported artificial nourishment for the beach as indispensable with replacement necessary probably on an average once in six years. Groin authorized under previously-issued permit was to be modified, beach nourishment would consist of deposit of suitable dredged material along the Gulf frontage

of four private owners and a city-owned parcel, the private owners having filed written consent for the project with provision that their riparian rights were not jeopardized, and construction or development in the beach itself should not be permitted by the municipality. The project agreement used where the Trustees participate in financing and the standard permit for coastal structures each contain a provision that such instrument would not constitute a waiver of any rights of Trustees or upland owner. City matching funds would be raised by bond issue and assessment of affected private owners. It was reported that the control works would improve navigability of Johns Pass, and that clearance from U. S. Engineers would be required.

The Trustees agreed that the use of state funds was merited, and upon motion by Mr. Larson, duly adopted, approved participation in the erosion control project of the City of Madeira Beach under provisions of Chapter 57-791, and authorized contribution on a matching basis not exceeding 50% of the project cost reported as \$39,537.50, all subject to the plans conforming to the basic recommendations of the Coastal Engineering Laboratory and subject to approval of the Attorney General as to agreement or other instruments.

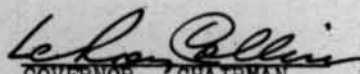
CAPITOL BUILDING - Request was presented from the Attorney General for authorization of payment for work in the main library of the Attorney General's office consisting of additional wall shelving and repairs to the floor. Low bid for the wall shelving was submitted by J. O. Carlile in the sum of \$425.00, and for the floor repairs, the Construction Division estimated that the work would not exceed \$50.00.

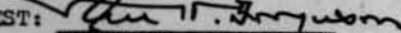
Without objection, the Trustees approved J. O. Carlile's low bid of \$425.00 for the shelving and approved the floor repairs in the library not to exceed \$50.00 subject to supervision of the Construction Division of the Board of Commissioners of State Institutions, and authorized payment from Trustees' funds.

#### SUBJECTS UNDER CHAPTER 18296

Upon motion duly adopted, the Trustees approved Report No. 770 listing five bids for sale of Murphy Act lands, and authorized issuance of deeds pertaining thereto.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
November 29, 1960

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office, in the Capitol.

Present:	LeRoy Collins	Governor
	Ray E. Green	Comptroller
	Lee Thompson	Commissioner of Agriculture

Van H. Ferguson      Director-Secretary

11-29-60

## APPLICATIONS TO PURCHASE LAND

MANATEE COUNTY - File No. 738-41-253.12. H. H. Howell, abutting upland owner represented by James A. Howze, made application to purchase three parcels of submerged land in Sarasota Bay and Perico Bayou in Sections 26, 27 and 34, in Township 34 South, Range 16 East, comprising 74.8 acres, more or less, all landward of the established bulkhead line.

The Director recommended cutting the area back to 500 feet each side of the centerline of highway right of way.

Without objection, the Trustees authorized advertisement for objections only, subject to the cut-back being worked out by the staff.

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MANATEE COUNTY - File No. 777-41-253.12. N-K Winston-Sanson Florida Corporation and Flamingo Cay, Inc., the abutting upland owners, represented by James A. Howze, applied to purchase three parcels of submerged land in Perico Bayou and Palma Sola Bay in Sections 25 and 26, Township 34 South, Range 16 East, comprising 22.1 acres, more or less, all landward of the established bulkhead line.

The Director recommended cutting the area back to 500 feet each side of the centerline of highway right of way.

Without objection, the Trustees authorized advertisement for objections only, subject to the cut-back being worked out by the staff.

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## BULKHEAD LINE

DUVAL COUNTY - Referred to the Trustees for formal approval was the bulkhead line established by the City Commission of Jacksonville by Ordinance No. EE-126 on June 14, 1960, on the westerly side of the St. Johns River between Commodores Point and Trout River in the city.

Upon motion duly adopted, the Trustees formally approved the bulkhead line as established by the City of Jacksonville in accordance with provisions of Chapter 253.122, Florida Statutes.

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## MISCELLANEOUS

BROWARD COUNTY - K. W. Daehler offered the standard processing fee of \$100.00 for state permit for installation of two adjustable groins in front of his upland at Block 1, Willingham Beach Subdivision, Pompano Beach. The Director recommended issuance with requirement of \$600.00 surety bond in accordance with report and recommendation of the Coastal Engineering Laboratory.

Without objection, the Trustees authorized issuance of groin permit to Mr. Daehler as recommended.

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BREVARD COUNTY - By Resolution adopted April 7, 1960, the Board of County Commissioners of Brevard County requested dedication of three islands filled under mosquito control operations, in Sections 7 and 18 of Township 30 South, Range 39 East, for development as public recreation areas. The county's bulkhead line for the mainland was established one foot from the line of mean high water and all three islands appear separated from the mainland by shallow water, one island being about 200 feet from private upland on mainland and the other about 300 feet offshore.

The Director advised that adverse claim arose by reason that the north tip of the northern-most island appeared to be within



the U. S. meander of Government Lot 6 of Section 7, that aerial photo made prior to filling indicated doubt that any firm land existed there prior to filling, and that while the islands were offshore beyond the mainland bulkhead line, the effect of conversion from the natural state near private mainland should be considered, although, technically, the bulkhead line appeared to have extinguished any pre-emptive right of the mainland owners to purchase. Further, the Director recommended that in event of dedication, the area should be advertised for objections and copies of notice with map sent to each riparian upland owner within 1000 feet as required for sales under Section 253.12 Florida Statutes, and that the county should pay the processing fee which included advertisement and posting of notices.

The Trustees asked the Director to request from the county its plans for public use of the islands for recreation, and Governor Collins stated that unless definite development plans for recreational areas had been formulated, the state should not divest itself of ownership.

Upon motion duly adopted, the Trustees took the request for dedication under advisement for information from the county as to its plans for utilization of the islands in the public interest.

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DADE COUNTY - On November 22 the Trustees deferred action on the Application by Hall, Hartwell & Douglas on behalf of Albert Enterprises, Inc., owner of Tracts C and D, and Robin Enterprises, Inc., owner of Tract E, both in Bal Harbour Ocean Front subdivision, Plat Book 57, page 68, for disclaimers covering a strip of land about 130 feet wide along the Atlantic Ocean, submerged in recent years but filled in 1960 by Dade County in connection with its works at Bakers Haulover Inlet. Dade County waived claim to any of the strip in question.

Report issued May 27, 1959 by U. S. Engineers shows that the shore line was stable prior to 1919 but receded 200 feet during the next 10 years, which interval included the 1926 hurricane which demolished the inlet facilities. The staff felt that there was adequate evidence that the original shore line was considerably more than 200 feet seaward from the new water line created in 1960 by the County's operations. Erosion prior to 1926 is indicated as imperceptible or slight but accelerated after the hurricane and structural changes and repairs of the Inlet. Loss of an average of 20 feet per year for the 10-year period and subsequent erosion is not construed as natural, gradual or imperceptible. Based on study of the plats, the information filed, and conference with Coastal Engineering Laboratory representative, the Trustees' staff determined that private ownership had survived since all or most of the loss of former private upland was, beyond doubt, the result of hurricane and modification of the inlet. Attorney Jay Hall exhibited recorded plats which showed lot boundaries to the high water mark of the Atlantic Ocean.

Without objection, the Trustees authorized issuance of disclaimers covering the filled strip to be defined, for handling charge of \$50.00 each.

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ESCAMBIA AND SANTA ROSA COUNTIES - Henry Sanborn, representing Face Sand and Gravel Company, applied for 20-year sand and gravel lease of sovereignty bottom lands of the Escambia River, offering royalty of 15¢ per cubic yard, minimum \$50.00 per month payable on tenth of each month. Applicant advised that usual type of sand and gravel pumps and barges would be used, conforming to regulations of U. S. Engineers, there would be no interference with rights of riparian owners, that lease operations would improve the navigability of the river and would establish a new industry by citizens of the area.

In discussing the application, the Trustees stated that a lease

with long term would be considered only with provision for cancellation, possibly with escalator clause permitting re-examination at certain periods with a view toward rate increase, and the applicant was asked to determine the shortest term that would be considered a sound business proposition to the firm. Governor Collins expressed the feeling of the Board that mining of natural resources was not encouraged, but, instead, was allowed when needed and when not damaging to conservation.

Without objection, the application for sand and gravel lease was taken under advisement with applicant to be given notice when any further action was taken.

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INDIAN RIVER COUNTY - City of Vero Beach requested a two-year permit without payment of royalty to remove shell from an area in Indian River east of the Intracoastal Waterway and south of Merrill P. Barber Bridge for use by the city in public streets and parking areas.

The Director reported that the Board of Conservation approved the area for dredging of shell but did not recommend waiver of payment since the greater part of all shell produced in Florida went into public works and other lessees paid royalties, monthly minimum payments and furnished surety bonds, and that waiver of royalty would establish a precedent which would affect future shell dredging contracts, the proceeds of which were remitted to the Board of Conservation for research.

Without objection, the Trustees approved offering to the city a two-year lease with the standard royalty of 15¢ per cubic yard, without requirement of a monthly minimum payment or surety bond, but requiring monthly statement as required of other shell lessees.

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PALM BEACH COUNTY - Assistant Attorney General McLane made report to the Trustees concerning the difficulties encountered in taking possession of pumping equipment in the Pelican Bay area formerly under lease to Richlands, Inc., new lease of the area having been awarded to Robert D. Apelgren and Edgar Wilder bidding on behalf of a group now organized as Pahokee Farms, Inc. Because of the difficulties, the need to protect the position of the state and discharge the duty of turning over to new lessees the area on which lease was awarded, it appeared that some legal action might be necessary.

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PINELLAS COUNTY - Pinellas County Attorney, representing the Board of County Commissioners, requested that the usual processing fee of \$100.00 be waived in connection with the state permit authorized on November 1, 1960, for construction of a public pier at Mullet Key since the permittee was a political subdivision and owned the submerged land, which was granted to the county by Legislative Act.

The Director advised that several municipalities had paid the processing fee without protest, and that if waiver was considered, a policy should be fixed with regard to exemption of local governing bodies and refunds made on the permits heretofore issued.

Upon motion duly adopted, the Trustees denied the request for waiver of dock permit fee.

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PINELLAS COUNTY - File No. 667-52-253.124. The Director recommended approval of permit No. DF104 granted by Pinellas County Water and Navigation Control Authority on October 27, 1960, to Wimp, Inc., for dredging and filling lands in St. Joseph Sound, Pinellas County, purchased from the Trustees under File No. 667-52-253.12.

Without objection, the Trustees approved the dredge-fill permit granted by the County Authority to Wimp, Inc.

PINELLAS COUNTY - Since it appeared that a quorum of the Trustees would not be present on December 6th, the hearing on several Pinellas County applications tentatively set for that date was ordered arranged for December 13th.

SUBJECTS UNDER CHAPTER 18296

Without objection, the Trustees approved Report No. 771 listing two (2) bids for sale of Murphy Act lands, and authorized execution of deeds pertaining thereto.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:

  
DIRECTOR - SECRETARY

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Tallahassee, Florida  
December 13, 1960

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office, at the Capitol.

Present:	LeRoy Collins	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Lee Thompson	Commissioner of Agriculture

Van H. Ferguson                      Director - Secretary

Upon motion duly adopted, the Trustees approved the minutes of the meetings on November 22 and 29, 1960.

LAND SALES

DADE COUNTY - File No. 741-13-253.12. On November 1 the Trustees considered application from Harold E. Davis and wife, abutting upland owners, who offered the appraised price of \$4,655.00 per acre for 1.82 acres, more or less, of submerged land in Biscayne Bay in Section 13, Township 54 South, Range 41 East, City of Miami, lying southeasterly of and abutting Lots 53, 54, 55 in Block "B" of Brickell Addition, landward of the established bulkhead line. The parcel was advertised for objections only in The Miami Herald, proof of publication filed with the Trustees and no protests to the sale were received. Central and Southern Florida Flood Control District waived objections to the sale.

Upon motion by Comptroller Green, duly adopted, the Trustees confirmed the sale at the appraised price.

DUVAL COUNTY - File No. 772-16-253.12. On November 1 the Trustees considered application from Nell L.C. Bostwick, abutting upland owner, for purchase of a tract of sovereign land in Drummond Creek in Section 20, Township 1 South, Range 27 East, lying southerly of and abutting U. S. Government Lot 1 of said Section 20, containing 44.0 acres, more or less, within the established bulkhead line. The parcel was advertised for objections only in the Florida Times Union, Jacksonville, Florida, proof of publication was filed with the Trustees and no protests to the sale were received.

12-13-60-



William Bostwick, on behalf of the applicant, asked for reconsideration of the \$250.00 per acre price fixed by the Trustees, explaining use of the land was limited by restrictions imposed due to the airport on the adjoining property. Comptroller Green mentioned the possibility of need for the land for airport expansion.

Upon motion by Attorney General Ervin, duly adopted, the Trustees agreed to sell the tract for \$200.00 per acre subject to condition accepted by Mr. Bostwick, that if within a period of five years any part of the land should be needed for public use, the owner would grant the area needed for the purchase price of \$200.00 per acre plus six percent, and preparation of clause for the deed was referred to the Attorney General

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LEE COUNTY - File No. 762-36-253.12. On October 18 the Trustees considered application by Town and River Estates, Inc., abutting upland owner, for purchase of a parcel of submerged land in the Caloosahatchee River in Section 20, Township 45 South, Range 24 East, lying westerly of and abutting the S $\frac{1}{2}$  of Government Lot 1 and the N $\frac{1}{2}$  of Government Lot 2 of said Section 20, containing 4.22 acres, more or less, landward of the established bulkhead line, appraised at \$100.00 per acre. The parcel was advertised for objections only in the News Press, Fort Myers, Florida, proof of publication was filed with the Trustees and no protests were received.

Upon motion duly adopted, the Trustees confirmed sale of the parcel advertised to the applicant at the appraised price.

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MONROE COUNTY - File No. 756-44-253.12. On October 18 the Trustees considered offer of the established price of \$300.00 per acre from Margaret L. Mitchell, abutting upland owner, for purchase of a parcel of submerged land in the Bay of Florida located northerly of and adjacent to part of Government Lot 1 in Section 19, Township 65 South, Range 34 East, Grassy Key, containing 12.50 acres, more or less. The parcel was advertised for objections only in the Florida Keys Keynoter, Marathon, Florida and proof of publication was filed with the Trustees.

Apparent title difficulties were disclosed by protest filed by Ralph E. Cunningham, Jr., on behalf of Joseph Giovannelli.

Without objection, the Trustees deferred action until question of title was satisfactorily cleared.

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MONROE COUNTY - File No. 757-44-253.12. On October 18 the Trustees considered offer of the established price of \$300.00 per acre from Frank F. Taylor, Jr., and wife, abutting upland owners, for purchase of a parcel of submerged land in Buttonwood Sound in Section 28, Township 61 South, Range 39 East, Key Largo, containing 0.36 acre, more or less. The parcel was advertised for objections only in the Coral Tribune, Key West, Florida and proof of publication was filed with the Trustees.

After examination of the map submitted with the file, the Trustees considered unsound an objection received from Thomas L. Phillips.

Upon motion by Comptroller Green, duly adopted, the Trustees overruled the objection and confirmed sale of the advertised parcel to the applicants at the established price.

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MONROE COUNTY - File No. 758-44-253.12. On October 18 the Trustees considered offer of the established price of \$300.00 per acre from Will H. Baker and wife, abutting upland owners, for purchase of a parcel of submerged land in Buttonwood Sound in Section 28, Township 61 South, Range 39 East, Key Largo, containing 0.31 acre, more or less. The parcel was advertised for objections only in the Coral Tribune and proof of publication was filed with the Trustees.

The Trustees examined map submitted with the file and an objection received from Thomas L. Phillips was considered unsound.

Upon motion by Comptroller Green, duly adopted, the Trustees overruled the objection and confirmed sale of the advertised parcel to the applicants at the established price.

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MONROE COUNTY - File No. 759-44-253.12. On October 18 the Trustees considered the offer of established price, \$425.00 per acre, from Carl E. Lindback and wife, abutting upland owners, for purchase of a parcel of submerged land in the Straits of Florida in Section 6, Township 64 South, Range 37 East, Upper Matecumbe Key, containing 1.25 acres, more or less. The parcel was advertised for objections only in the Key West Citizen, proof of publication was filed with the Trustees and no protest to the sale was received.

Without objection, the Trustees confirmed sale of the advertised parcel to applicants at the price offered.

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MONROE COUNTY - File No. 761-44-253.12. On November 1 the Trustees considered offer of the established price of \$425.00 per acre from Joseph Kesler, abutting upland owner, for purchase of a parcel of bay bottom land in the Straits of Florida in Section 5, Township 64 South, Range 37 East, Upper Matecumbe Key, containing 0.69 acre, more or less. The parcel was advertised for objections only in the Florida Keys Keynoter, Marathon, Florida, proof of publication was filed with the Trustees, and no protest to the sale was received.

Without objection, the Trustees confirmed the sale to Mr. Kesler at the price offered.

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MONROE COUNTY - File No. 764-44-253.12. On October 18 the Trustees considered offer of the established price of \$425.00 per acre from J. Edward Worton and wife, abutting upland owners, for purchase of a parcel of submerged land in the Straits of Florida in Section 22, Township 64 South, Range 36 East, Lower Matecumbe Key, containing 0.53 acre, more or less. The parcel was advertised for objections only in the Key West Citizen, proof of publication was filed with the Trustees, and no protest to the sale was received.

Without objection, the Trustees confirmed the sale to Mr. Worton at the price offered.

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MONROE COUNTY - File No. 767-44-253.12. On November 1 the Trustees considered offer of the established price of \$425.00 per acre from Curtis R. Hammond, abutting upland owner, for purchase of a parcel of submerged land in the Straits of Florida in Section 23, Township 63 South, Range 37 East, Windley Key, containing 0.72 acre, more or less. The parcel was advertised for objections only in the Key West Citizen, proof of publication filed with the Trustees, and no protest to the sale was received.

Without objection, the Trustees confirmed sale of the advertised parcel to Mr. Hammond at the price offered.

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MONROE COUNTY - File No. 770-44-253.12. On November 1 the Trustees considered offer of the appraised price of \$1000.00 per acre from Stanley H. Swift and wife, abutting upland owners, for purchase of a parcel of submerged land in the Bay of Florida in Township 67 South, Range 25 East, Island of Key West, containing 0.76 acre, more or less. The parcel was advertised for objections only in the Coral Tribune, Key West, Florida, proof of publication filed with the Trustees, and no protest to the sale was received.

Without objection, the Trustees confirmed sale of the advertised parcel to the applicants, at the appraised price.

PALM BEACH COUNTY - On November 1 the Trustees considered application of the Town of Lake Park, abutting upland owner, for grant to the city for municipal purposes only, a tract of submerged land in Lake Worth in Section 21, Township 42 South, Range 43 East, containing 6.969 acres, more or less. The parcel was advertised for objections only in the Palm Beach Post, proof of publication filed with the Trustees and no protest to the sale was received.

Upon motion duly adopted, the Trustees authorized conveyance without charge of the advertised parcel to the Town of Lake Park for municipal public purposes only.

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PALM BEACH COUNTY - File No. 769-50-253.12. On November 1 the Trustees considered offer of the appraised price of \$1401.00 per acre from Henry J. Burkhardt, abutting upland owner, for purchase of a tract of submerged land in Lake Worth in Sections 3 and 4, Township 43 South, Range 43 East, containing 0.131 acre, more or less. The parcel was advertised for objections only in the Palm Beach Post, proof of publication was filed with the Trustees, no protest to the sale was received and Central and Southern Florida Flood Control District waived objections.

Upon motion duly adopted, the Trustees confirmed sale of the advertised parcel to Mr. Burkhardt at the appraised price.

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PALM BEACH COUNTY - File No. 771-50-253.36. On November 1 the Trustees authorized advertisement for objections and competitive bids on application by LaBelle Syrup Company, abutting upland owner, which offered the established price of \$100.00 per acre as base bid for sale (under provisions of Section 253.37) of a tract of reclaimed lake bottom land in Lake Okeechobee in Section 18, Township 43 South, Range 35 East, lying landward of the U. S. - Okeechobee Levee and more particularly described as commencing on the West boundary of Section 19, Township 43 South, Range 35 East at the meander corner marking the meander of Lake Okeechobee, according to the State Survey thereof, run North on extension of said West boundary of Section 19, a distance of 480.85 feet to the unsurveyed SW corner of said Section 18; thence South 89°51'45" East, a distance of 182 feet to the P.O.B. of the tract hereinafter described; from said P.O.B. continue South 89°51'45" East, a distance of 2051.88 feet to the intersection with the northwesterly boundary of the R/W of the South Florida Conservancy District Levee; thence North 63°15'34" East along said R/W, a distance of 120.98 feet to the intersection with the Southwesterly R/W line of State Roads 25 and 80; thence North 63°34'31" West along said R/W Line, a distance of 2411.92 feet to a point which is 182 feet East of the West boundary of said Section 18; thence South a distance of 1122.86 feet to the P.O.B., containing 29.13 acres, more or less.

The parcel was advertised for objections and competitive bids in the Belle Glade Herald, proof of publication filed with the Trustees, and no protest to the sale was received. The notice stated that the purchaser, if not the applicant, would be required to reimburse the applicant for cost of survey, cost being \$339.00. Central and Southern Florida Flood Control District waived objection to the sale.

The Director called out the description of the land and competitive bidding resulted in high bid of \$225.00 per acre, plus the stated survey costs, offered by J. H. Schmitt for himself and James Nemec.

Upon motion duly adopted, the Trustees accepted high bid of J. H. Schmitt and James Nemec in the amount of \$225.00 per acre plus reimbursement of the survey costs of \$339.00.

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PALM BEACH COUNTY - File No. 336-50-253.36. On November 1 the Trustees considered application by LaBelle Syrup Company, abutting upland owner, with offer of the established price of \$100.00 per



acre for a parcel of reclaimed bottoms in Lake Okeechobee in Section 19, Township 43 South, Range 35 East, containing 9.95 acres. The staff recommended sale without advertising in the usual manner of sale of such reclaimed lake bottoms to upland owners. Trustees deferred action until competitive sale of the adjoining parcel (File 771-50-253.36). In view of the high bid offered for that parcel, Trustees fixed a value of \$125.00 per acre for the 9.95 acres, taking into consideration the applicants' statement that the land was wet, not suitable for farming, had no highway frontage and was desired for dumping by-products from the syrup mill.

Upon motion duly adopted, the Trustees confirmed sale to the LaBelle Syrup Company at a price of \$125.00 per acre.

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VOLUSIA COUNTY - File No. 760-64-253.12. On October 18 the Trustees considered application from J. V. Korpacy, abutting upland owner, for purchase of a parcel of submerged land in the Halifax River in Section 34, Township 15 South, Range 33 East, containing 0.24 acre, more or less, landward of the bulkhead line established by Volusia County in 1953. The parcel was advertised in the News Journal, Daytona Beach, Florida, proof of publication filed with the Trustees, and no protest was received.

Upon motion duly adopted, the Trustees confirmed sale to the applicant for \$100.00 minimum amount, subject to verification by the Director that an unclear telegraphic message did not apply to the subject land.

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PINELLAS COUNTY - File No. 791-52-253.12. Representing W. T. Howard, Trustee, abutting upland owner, McMullen, Loeffler and Williams applied to purchase a parcel of submerged land in The Narrows in Section 24, Township 30 South, Range 14 East, Indian Rocks Beach South Shore, containing 0.67 of an acre, more or less, landward of the established bulkhead line. Pinellas County Water and Navigation Control Authority advertised and approved the purchase application on October 27, 1960 and transcript of county hearing cited no objections from interested local parties.

Upon motion duly adopted, the Trustees approved sale of the parcel to W. T. Howard, Trustee, at the appraised price of \$500.00 per acre.

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PINELLAS COUNTY - File No. 793-52-253.12. Robert R. Tench, Trustee, abutting upland owner, applied to purchase a tract of submerged land in Old Tampa Bay in Section 28, Township 29 South, Range 16 East, containing 21.3 acres. Pinellas County Water and Navigation Control Authority denied approval of purchase application based on the fact that a title claim was made by Municipal Liquidators, Inc.

The Director informed the Board that factors to be considered were: (1) whether riparian rights attach to the Tench upland by reason of its present frontage on public water; (2) the legal status of the record ownership of Government Lot 3 (Municipal Liquidators, Inc.) in its submerged state in the zone landward of bulkhead line and riparian to the Tench upland; (3) proofs concerning former purported existence of upland in Government Lot 3; and (4) the question of possible survival of private ownership of Government Lot 3 after total erosion or total loss by avulsion or artificial cause. From the material submitted, the staff was not in position to make recommendation, since legal distinctions should be developed with respect to physical history and cause of topographical changes, if any. However, at the request of the applicant, the matter was presented for consideration.

Mr. Tench based his application on the premise that as result of gradual erosion the land had reverted to the sovereignty and as upland riparian owner he applied to purchase landward of the

bulkhead line, that the County Authority approved the purchase except for the conflicting title claims and he admitted that the objector would have right to purchase out to the bulkhead line from any existing remnant of Government Lot 3.

For the objector, Municipal Liquidators, Inc., Walter P. Fuller and Adrian S. Bacon, attorney, protested that a portion of the former government lot was swept away by avulsion, citing records of hurricane damage and location of pine trees, that title remained in former owner, that the mangrove area had begun to rebuild by deposit of sand, that taxes had been levied, assessed and collected on the land in question since 1884.

The Trustees examined the maps and photographs submitted and took the claims as presented under advisement since it was evident that legal determination was required or possibly court action.

Upon motion by Comptroller Green, duly adopted, the matter was referred to the Attorney General for study.

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PINELLAS COUNTY - File No. 794-52-253.12. Frederick Chase and J. C. Harrington, abutting upland owners represented by Finch and Mosley, attorneys, applied to purchase two contiguous parcels of submerged land in St. Joseph Sound in Section 27, Township 28 South, Range 15 East, City of Dunedin, landward of the established bulkhead line. The sale of the total of 2.18 acres, more or less, was approved by Pinellas County Water and Navigation Control Authority on October 27, 1960, referring to the Trustees the decision as to equitable apportionment between the two applicants.

Trustees' staff recommended apportionment based on linear footage of water frontage before purchase as to that which would exist after purchase and development, calculations based thereon showing 1.4 acres to Mr. Chase and 0.78 acres to Mr. Harrington.

Upon motion by Comptroller Green, duly adopted, the Trustees approved sale of the two parcels to the two upland owners, as apportioned, based on \$1250.00 per acre valuation.

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PINELLAS COUNTY - File No. 746-52-253.12. Presented for reconsideration on this date was application, deferred on November 8, from Wallace L. Skinner, for purchase of 0.8 acre of submerged land in Section 27, Township 28 South, Range 15 East, riparian to applicant's upland which had depth less than fifty feet between Victoria Avenue and St. Joseph Sound with sixty foot frontage on water. The parcel sought, if filled, together with adjacent upland parcel, would be of very limited utility for development and was valued by Trustees' appraiser at \$1500.00 per acre.

Upon motion by Comptroller Green, duly adopted, the Trustees confirmed sale of the 0.8 acre parcel to Mr. Skinner at the appraised value.

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PINELLAS COUNTY - File No. 747-52-253.12. Presented for reconsideration was the application, deferred on November 8, from Francis L. Skinner for purchase of 2.06 acres of submerged land in Section 27, Township 28 South, Range 15 East, riparian to applicant's upland which had about eighty feet depth between Victoria Avenue and St. Joseph Sound. The Director explained the basis of the appraiser's valuation at \$1000.00 per acre.

Upon motion by Comptroller Green, duly adopted, the Trustees confirmed sale of the 2.06 acre parcel to the applicant at the appraised value.

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PINELLAS COUNTY - File No. 745-52-253.12. Presented for further consideration was the application, deferred on November 8, from William P. Hayes for purchase of 4.3 acres of submerged land in

Section 27, Township 28 South, Range 15 East, riparian to his upland between County Road No. 37 and St. Joseph Sound. The Director explained the basis of the appraiser's valuation at \$1000.00 per acre.

Upon motion by Comptroller Green, duly adopted, the Trustees confirmed sale of the 4.3 acres to Mr. Hayes at the appraised value.

#### BULKHEAD LINE AND APPLICATION TO PURCHASE

PINELLAS COUNTY - File No. 781-52-253.12. Presented for further consideration was the application, deferred on November 22, for formal approval of the bulkhead line adopted on October 13, 1960, by Pinellas County Water and Navigation Control Authority to encompass Cunningham Key (approximately 25 acres) plus more than 150 acres of sovereignty land. The Bayway would require about 12 acres of Cunningham Key; however, in view of the ratio of submerged land to upland imposed on the Tierra Verde purchase of submerged land (one to one), the Trustees' staff recommended a cut-back so that gross area within bulkhead line should not exceed total of more than 60 acres.

Applicants to purchase the 177.5 acres in Section 32, Township 32 South, Range 16 East, encompassed by the bulkhead line fixed by the county were Arlie S. Parkerson, Alberta Weyl, W. Furman Betts, Arthur W. and Pearl Elliott and Ed. C. Wright, owners of separate parcels on Cunningham Key. The Director advised that application was incomplete, contained no map of Cunningham Key ownerships, no evidence of private ownership, no offer had been made for the land valued by Trustees' appraiser at \$500.00 per acre, the development plan on file was not the one displayed at the meeting on November 22nd and only on this date had he seen the new plans.

Mention was made of telegraphed approval of the application received from R. U. Parker, President of Greater St. Petersburg Chamber of Commerce, as well as protest received from Mrs. Beth Stiles to sale of more than 12 acres to recompense for the loss of that required for the Bayway.

Governor Collins agreed with the staff recommendation, stating that the expansion requested appeared excessive and that he would approve sale of fifty acres of submerged land plus an additional 12 acres to offset what would be given up for road right of way.

Upon motion by Attorney General Ervin, duly adopted, the Trustees approved sale of a total of 62 acres of submerged land to be added to the island, conditioned on referral of the bulkhead line back to the County with suggestion for revision and cut-back to accommodate sale of not more than 62 acres of sovereignty land.

PINELLAS COUNTY - File No. 213-52-253.12. Presented for further consideration was application, deferred on November 22, for formal approval of bulkhead line fixed by Pinellas County Water and Navigation Control Authority on June 26, 1958, for Paul F. Randolph as Trustee, owner of Moonshine Island, and for purchase of 172.65 acres of submerged land in St. Joseph Sound in Sections 32 and 33 of Township 28 South, Range 15 East and Sections 4 and 5 of Township 29 South, Range 15 East, currently appraised at \$300.00 per acre. Proponents and objectors were notified of presentation on this date.

The Director recommended approval of bulkhead line provided the owner of Moonshine Island would relinquish rights to the portion needed to accommodate a 600-foot channel to improve Big Pass between his island and Caladesi Island, required in connection with closure of Hurricane Pass between Caladesi and Honeymoon Islands. Based on previous action of the Trustees regarding a causeway, deferment of sale was recommended by Mr. Ferguson; however, he stated that the proposed enlargement and development of Moonshine Island appeared desirable, that improvement of Big Pass would take up about 20 acres, that



area would be required for deposit of spoil from deepening the pass.

Objection to sale was made by Clearwater Beach Association, Inc., and W. E. Eigenmann, representing Central Clearwater Civic Association, requested areas for public use. It was explained that deep bulkheading would be necessary and that the area was unsuitable for public beaches for that reason.

On behalf of Mr. Randolph, H. H. Baskin, Sr., reviewed the history of the application made in 1958, stated that the project had approval of the County Authority, the Cities of Dunedin and Clearwater with no objections made at the local hearing, that it was economically impossible for a project of that size to provide a causeway to the mainland but that development of Moonshine Island would lead to future access and bring development closer to Clearwater, that applicant had agreed to the taking of the area required for the deepening and widening of Big Pass for improvement of navigability, that improved pass and the proposed development would benefit both cities. Mr. Baskin urged the Board to approve bulkhead line and right to purchase subject to approval by the Trustees of development plans.

The Trustees approved the bulkhead line and were not adverse to sale, provided provisions could be worked out for areas for roads and public uses similar to such requirements worked out in past sales. Governor Collins suggested that development plans be submitted for examination by the Trustees, who would consult the county and cities as to public use areas and that sale price should be worked out in the light of what was guaranteed by developer for public uses. The Attorney General felt that developer should be assured of favorable consideration within three years at a fair price, possibly on the basis of the \$300.00 per acre appraisal, subject to approval of the plan of development after checking with local agencies as to needs for public areas.

Upon motion by Attorney General Ervin, duly adopted, the Trustees formally approved the bulkhead line adopted by Pinellas County Water and Navigation Control Authority on June 26, 1958, with the further understanding that the sale would be made later upon approval by Trustees of the plan of development assuring adequate public needs and uses and for a consideration to be agreed upon at such time.

#### LAND SALES

PINELLAS COUNTY - file No. 754-52-253.12. Presented for further consideration, deferred from November 22, was application from Normandy, Inc., adjacent upland owner, to purchase a parcel of submerged land in Boca Ciega Bay in Section 6, Township 32 South, Range 16 East, in City of St. Petersburg Beach, containing 1.45 acres within the established bulkhead line.

On behalf of the applicant, C. Ray Smith reviewed facts about the application and answered questions. Brightwater Beach Estates Association withdrew objections previously filed.

The Director recommended the sale in recognition of the particular location and local recommendations, provided local permit for filling not be approved unless it required removal of material from a shoal in the vicinity and he recommended \$1200.00 per acre based on appraisal in the immediate vicinity.

Upon motion duly adopted, the Trustees approved sale of the 1.45 acre parcel to Normandy, Inc., in view of the city's support to accomplish a public improvement, on the basis of \$1200.00 per acre as recommended by the Director.

PINELLAS COUNTY - File No. 743-52-253.12. Presented for further consideration, deferred from November 22, was application from

William B. Clautice and wife, adjacent upland owners, to purchase 15.2 acres of submerged land in Boca Ciega Bay in Section 31, Township 31 South, Range 16 East, for extension of existing single finger-type fill (Bahia Shores) toward the established bulkhead line. The transcript of Pinellas County Water and Navigation Control Authority hearing shows city approval as prospect for reduction of shoals and the improvement of navigation, with no local objections. The Director recommended sale in recognition of the local support and suggested adjustment of the appraised value of \$1200.00 per acre in view of certain required sewage installations; however, the Trustees were not agreeable to any reduction in price.

On behalf of the applicant, C. Ray Smith reviewed facts about the application and answered questions. Brightwater Beach Estates Association withdrew objections filed previously. The Trustees insisted and the applicant agreed to a cut-back in the proposed sale so that the boundary line of its extension was in line with the Brightwater Beach Estates fill.

In view of the city's support to accomplish a public improvement, upon motion duly adopted, the Trustees approved sale to the applicants for \$1200.00 per acre, subject to reduction of the sale parcel, cutting back the area to a line being an extension northwesterly of the northeasterly boundaries of Lots 18 and 19 of Brightwater Beach Estates as existing on this date, applicant to submit modified development plan and description to the Trustees' staff.

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PINELLAS COUNTY - File No. 753-52-253.12. Presented for further consideration was application, deferred on November 22, for purchase by Three Palms Point, Inc., owner of adjacent upland, of a tract of submerged land in Boca Ciega Bay in Section 31, Township 31 South, Range 16 East, 15.6 acres for extension of existing fill toward established bulkhead line, in the City of St. Petersburg Beach. Transcript of Pinellas County Water and Navigation Control Authority hearing showed city approval as prospect for reduction of shoals and improvement of navigation, with no local objections, and the Director recommended value of \$1200.00 per acre based on appraisal in nearby area.

On behalf of the applicant, C. Ray Smith reviewed facts about the application and answered questions. Brightwater Beach Estates Association objections were withdrawn.

William W. Upham, official of the applicant company, argued for reduction in price, pointing out his many grants of land for various public uses and that the application was made only to accommodate the city's plan for shoal reduction.

Upon motion duly adopted, the Trustees denied the application.

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#### APPLICATIONS TO PURCHASE

MONROE COUNTY - File No. 670-44-253.12. Edward Leitner, the abutting upland owner, offered the appraised value of \$150.00 per acre for a portion of a sovereignty mangrove island in Sections 22 and 27 of Township 61 South, Range 39 East, Key Largo, containing 4.42 acres.

Without objection, the Trustees authorized advertisement of the parcel for objections only.

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PALM BEACH COUNTY - File No. 792-50-253.12. Theodore Brower and wife, abutting upland owners represented by Brookway, Weber and Brockway, applied for (a) disclaimer under Section 253.129 Florida Statutes 1957, to an area in West Palm Beach in Sections 3 and 4 of Township 43 South, Range 43 East, containing 1.201 acres and (b) deed to these submerged lands in Lake Worth in Sections 3 and 4 of said township and range, lying easterly of and abutting parcel

in (a) above, outward to the established bulkhead line, containing 0.151 of an acre, for which offer was made of the appraised price of \$1401.00 per acre, subject to advertisement for objections only.

Without objection, the Trustees approved issuance of disclaimer for \$10.00 charge and authorized advertisement of the 0.151 acre parcel for objections only based on the offer of appraised price.

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#### MISCELLANEOUS

BROWARD COUNTY - Easement. Upon motion by Comptroller Green, adopted without objection, the Trustees authorized issuance of perpetual easement to the U. S. A. over the submerged lands lying in the mouth of the entrance channel to Port Everglades and the Atlantic Ocean, as requested by the Broward County Port Authority by Resolution No. 50-1960 passed on November 30, 1960.

CHARLOTTE COUNTY - Fill Permit. File No. 177-08-253.124. Upon motion by Comptroller Green, adopted without objection, the Trustees formally approved fill permit approved by the Board of County Commissioners of Charlotte County for filling those submerged bottoms conveyed by the Trustees to Grove City Realty Company under above file number.

DADE COUNTY - Disclaimer. J. Lewis Hall, Jr., on behalf of Robin Enterprises, Inc., record owner of Tract "E" of Bal Harbour Ocean Front Addition, applied for disclaimer of approximately 0.19 acre in the northwest corner adjacent to the inlet cut at Bakers Haulover and the bridge of State Road 1A1A over the cut. The area is shown to have been upland protected by continuous bulkhead along the cut prior to break in the seawall and washout by heavy seas during storms about 1942, affirmed by George M. Whitaker of Zurwille-Whitaker, Inc., Engineers, who supervised placement of boulders in the area for the then owner in effort to stem the erosive action.

Since the washout area in 1960 was under waters of the inlet over which Dade County had jurisdiction, applicant obtained assurance that Dade County made no claim to the subject area evidenced by letter from Metropolitan Dade County Attorney waiving objections to issuance of the disclaimer. Also waiver was filed from State Road Department Right of Way Engineer.

Since there appeared no basis for state claim of the washout area, the Director recommended issuance of disclaimer.

Upon motion by Attorney General Ervin, duly adopted, the Trustees approved issuance of disclaimer for handling charge of \$50.00.

DADE COUNTY - Dedication. City of North Miami by Resolution No. 748 adopted on November 22, 1960, requested dedication of a parcel lying 62½ feet each side of centerline of Northeast 123rd Street in Section 29, Township 52 South, Range 42 East (between North Bayshore Drive and the established bulkhead line) for public street purposes for extension of Northeast 123rd Street.

Upon motion by Mr. Green, adopted without objection, the Trustees approved dedication of the parcel for public street purposes under supervision and control of the City of North Miami.

DADE COUNTY - Dock Permit. On November 22 the Trustees considered application of Monterrey Motel, Miami Beach, for additional docks along the greater portion of applicant's waterfront, and the Board imposed setback to 30 feet from the adjacent property lines. Objection was filed by Mrs. Jessie B. Baumann, adjacent owner and permit was approved subject to reconsideration in event objector filed factual data. Clarifying her protest, Mrs. Baumann filed letter stating that the proposed docks used for commercial purposes and dock parties at all hours near her residence, the



splashing of salt water onto her lawn, and the loss of privacy and quiet were the basis of her protest.

Representing the applicant, Attorney John A. Madigan, Jr., explained that protestant opposed a zoning change put into effect some years ago, that the motel was being converted into a health spa and as such would eliminate some phases of the former motel operation which was cited as affecting objector's property.

The Trustees discussed aspects of the application which appeared similar to one previously denied in which dock extensions were proposed as a device to convert a public water area to a commercial private use for profit. The matter of zoning was within the purview of the local governing body.

Upon motion by Commissioner Thompson, seconded by Mr. Larson and duly adopted, the Trustees authorized permit to the applicant subject to cut-back to thirty feet from the adjacent ownerships and directed that permit include clauses showing that new docks were authorized for conventional dock uses of bathing, sunning, boating and fishing and not for use as a bar or for parties, with the preparation of clause to define these limitations referred to the Attorney General.

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INDIAN RIVER COUNTY - File No. 733-31-253.124. Dredge-fill Permit. Without objection, the Trustees formally approved the permit to Riomar Bay, Inc., granted by the City of Vero Beach by Ordinance No. 846 passed by the City Council on August 16, 1960, for dredging and filling lands in the Indian River purchased from the Trustees under File No. 733-31-253.12.

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MARTIN COUNTY - Easements. Without objection, the Trustees authorized issuance of two perpetual spoil easements to the Florida Inland Navigation District for the use and benefit of the United States of America in construction and maintenance of the Inland Waterway, the first being MSA M-1-A over open submerged lands in Indian River in Sections 14 and 15 of Township 37 South, Range 41 East, and the second being MSA M-4(A) over open water in the St. Lucie River in Section 18 of Township 38 South, Range 42 East.

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MASSAU COUNTY - Board of Public Instruction of Nassau County by Formal Resolution requested transfer of use rights in the SW $\frac{1}{4}$  of NW $\frac{1}{4}$  and NW $\frac{1}{4}$  of Section 22, Township 3 North, Range 24 East, 80 acres, to the Hilliard Chapter, Future Farmers of America. The land was leased by Trustees on March 2, 1948 for use by the Callahan Chapter, F. F. A., but no formal instrument was issued; the Callahan Vocational Agriculture Department and F.F.A. Chapter was discontinued in June 1960, and the Nassau County Board's Resolution was accompanied by former lessee's executed relinquishment and an agreement of the Hilliard Department and F.F. A. Chapter to accept the use rights subject to agreement provisions.

The land was used as a forestry educational project, and the Director recommended continued withdrawal from sale and that formal agreement be prepared, in form approved for such purpose by the Attorney General's office, for use of the land by the applicant as a Vocational Agriculture project.

Upon motion by Treasurer Larson, duly adopted, the Trustees authorized the action recommended by the Director and approved use of the land by Hilliard Chapter, Future Farmers of America.

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OSCEOLA COUNTY - Florida Development Commission authorized conveyance to the Trustees of a tract in Section 17, Township 27 South, Range 33 East, Osceola County, formerly used for the Holopaw Emergency Airport, the airport having been closed with

approval of Federal Aviation Agency . Information was that 5.83 acres appeared subject to lease to the United States, the land was purchased by Florida State Improvement Commission in 1948 from private owners for which a U. S. grant of \$317.00 toward the purchase was received, and the Development Commission found no requirement for reimbursement of the U. S. grant.

Upon motion by Mr. Larson, duly adopted, the Trustees approved acceptance of deed from the Development Commission with the understanding and commitment of the Trustees that in event the United States has legal right to reimbursement and makes claim for the \$317.00, then the Trustees will reimburse said amount to the United States.

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PALM BEACH COUNTY - Permit. Upon motion by Mr. Larson, duly adopted, the Trustees authorized issuance of State Permit to Marion E. Redfearn for installation of two adjustable groins at applicant's Lots 303 and 304, Bon Air Beach, Plat No. 3, Plat Book 10 at page 34, Palm Beach County records, with requirement of \$600.00 surety bond, and all in accordance with report and recommendation of the Coastal Engineering Laboratory.

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PALM BEACH COUNTY - In response to request by Resolution of the City of Pahokee adopted June 4, 1960, the Trustees authorized dedication of the portion of the Pelican Bay tract in Section 19 of Township 42 South, Range 37 East, formerly leased to Richlands, Inc., for municipal uses as a source of rock for municipal purposes and as a city garbage dump area. Such uses being different from the agricultural use of the remainder of the Pelican Bay tract, it was apparent that new and separate water control facilities would be necessary for the 55 to 58 acres authorized for city use, and the city was notified that it should submit survey of the parcel and plans of its proposed water control facilities for approval before any formal instrument was executed. No plans having been submitted, bids were taken for lease with 12-month cancellation clause for withdrawal of the area and lease to new Pelican Bay lessee was executed with provision for such withdrawal with 12-month notice.

On December 7 City Attorney conferred with the Trustees' staff and in review of preliminary layout for survey it was found that some 3500 feet of new dyke of adequate heights and cross-section should be provided by the city and arrangements made between the city and East Beach Drainage District which had a levee along the north line of the parcel (being the levee cut by the District in September). Neither the city nor the lessee can occupy and use the area at present.

The Director called attention to the limitation of city use to rock for municipal purposes only, that the parcel was a deep muck area and the city did not, under the commitment, have the right to sell sod or muck from the parcel; that in view of the great construction cost incident to building of 3500 feet of high dyke the Trustees might wish to consider permitting the city to make sale of any surplus or overburden not required for the dyke. Sale of rock, however, was not recommended by the staff.

The City Attorney advised that the city desired to proceed with its water control works on the 55 to 58 acres. Therefore, since failure of the city to provide the necessary dykes before removing rock would jeopardize the investment and operations of Trustees' new lessees in the remainder of the 2920 acres, the Director recommended that city submit engineer's plan and cost estimate for the water control facilities proposed to be installed or constructed together with bond or other security to insure construction of the necessary dyke within 12 months and that upon approval of such plan and bond, 12 months notice should issue to new lessees for withdrawal of the parcel for the city. Since the city's proposed construction would require occupation, the Director recommended that the notice be accompanied by

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request that the new lessees relinquish lease immediately as to the 55 to 58 acres and that rental by lessees be waived on same in order that the city might proceed.

Without objection, the Trustees approved the above recommendations of the Director as the action of the Board.

PINELLAS COUNTY - On behalf of the City of Clearwater, H. H. Baskins, Jr., requested the following: (1) that the Trustees accept reconveyance of a parcel of bay bottom land in Clearwater, now filled land, in Section 16, Township 29 South, Range 15 East, 0.92 of an acre, originally conveyed by Trustees to City of Clearwater on October 24, 1952, by Deed No. 20207 carrying restrictive public purpose clause; (2) that the Trustees convey to the city by new deed part of the identical strip in "1" including a 0.03 acre strip at the westerly end that was classified as over-fill, the total area to be conveyed being 0.65 of an acre, for a consideration of \$3250.00 (at the rate of \$5000.00 per acre); (3) that the Trustees convey to the city for access purposes a 20-foot wide by 225-foot long strip with usual public purpose clause; and (4) that the remaining part of the parcel in "1", being an unfilled strip 20 feet wide by approximately 490 feet long containing 0.20 of an acre, remain as public water.

Upon motion by Comptroller Green, duly adopted, the Trustees authorized the above four items carried out as requested by the City of Clearwater, subject to approval of the Attorney General as to necessary instruments.

PINELLAS COUNTY - File No. 532-52-253.124. Upon motion by Mr. Green, duly adopted, the Trustees formally approved Permit No. DF108 granted to Rutenberg, Inc., by Pinellas County Water and Navigation Control Authority on October 28, 1960, for dredging and filling lands in Old Tampa Bay purchased under Trustees' File No. 532-52-253.12.

PINELLAS COUNTY - File No. 641-52-253.124. Upon motion by Mr. Green, duly adopted, the Trustees formally approved Permit No. DF113 granted by Pinellas County Water and Navigation Control Authority on November 10, 1960, to Waterways Development Corporation, Inc., Arthur, Inc., and Van Jim, Inc., for dredging and filling lands in Boca Ciega Bay purchased from Trustees under File No. 641-52-253.12.

PINELLAS COUNTY - Permit. The Director recommended issuance of state permit for commercial dock to John H. Hurlburt, extending into John's Pass at applicant's Lot 10 of Block 1, Mitchell Subdivision, Madeira Beach, for which Pinellas County Water and Navigation Control Authority granted permit and the adjacent owners filed written consent.

Upon motion by Mr. Larson, duly adopted, the Trustees authorized issuance of the permit for the standard fee of \$100.00.

POLK COUNTY - Permit. Henry E. Lewis applied for permit to remove from the bottoms of Crooked Lake riparian to his property approximately 200 cubic yards of material to repair storm damage and otherwise improve his upland, described as part of Government Lot 3 of Section 31, Township 30 South, Range 28 East. The Game and Fresh Water Fish Commission approved the application.

Without objection, the Trustees authorized issuance of the permit for the standard minimum charge of \$25.00.

UNION COUNTY - Joseph Kelleher, on behalf of the University of Miami, requested release of oil and minerals reserved in Trustees Deed No. 21182 affecting the E $\frac{1}{2}$  of NW $\frac{1}{4}$  of Section 29, Township



5 South, Range 18 East, which land was conveyed to Mr. Kelleher and by him conveyed as a gift by deed of general warranty to the University of Miami. Since the property was granted to an educational institution, the Director recommended that the oil and minerals be quitclaimed without charge to the University to perfect its title .

Without objection, the Trustees authorized issuance of quitclaim deed to the University of Miami releasing the oil and mineral reservations in Deed No. 21182.

DADE COUNTY. On behalf of the University of Miami, D. H. Redfearn, attorney, presented a request that a motion be adopted acknowledging that certain conditions in that Trustees Deed No. 19436 dated October 12, 1948 to Dade County have been met and complied with. The Director explained that Trustees Deed No. 18556 dated May 24, 1940 conveyed to Dade County for public purposes, only, certain lands fronting on Biscayne Bay in Dade County, and that Trustees Deed No. 19436 dated October 12, 1948 to Dade County modified the conditions of the previous conveyance subject to the construction within five years of the date of said deed on some portion or portions of the land described an aquarium and marine laboratory which, together with the filling in and bulkheading therefor, should cost a minimum of \$1,500,000.

It was further explained that on August 30, 1960, the Trustees of the Internal Improvement Fund adopted a motion extending said five-year period from October 12, 1948 to a ten-year period from October 12, 1948 for the expenditure of said stated amount.

It was further explained, that Harold D. Steward, an architect of Dade County, Florida, and a member of a partnership known as Steward-Skinner Associates, had executed an affidavit, which is recorded in the Public Records of Dade County, Florida, a copy of which affidavit was submitted by Mr. Redfearn, stating that as such architect he and his associates supervised the expenditure of funds on the property in Dade County, Florida, on which the aquarium and on which the marine laboratory of the University of Miami are located, and that his records disclose that prior to October 1, 1958 more than \$1,500,000 was expended in the improvement of said land by the University of Miami, owner of the marine laboratory on said land, and by Marine Exhibition Corporation, owner of the aquarium on said land, in the construction of said marine laboratory and aquarium and in bulkheading and filling in the land in connection therewith.

The Director recommended that a motion be adopted in accordance with Mr. Redfearn's request.

Upon motion by Attorney General Ervin, seconded and adopted, the Trustees acknowledged that prior to October 1, 1958 more than \$1,500,000 was expended in the improvement of the land described in said Trustees Deed No. 19436 in the improvement of the land described therein by the University of Miami and by Marine Exhibition Corporation in the construction of a marine laboratory and an aquarium thereon and in bulkheading and filling in the land in connection therewith, and that the condition described in said Trustees Deed No. 19436 in connection with the construction of said buildings and said bulkheading and said filling in at a minimum cost of \$1,500,000 within five years from October 12, 1948, as extended to ten years from October 12, 1948 by said motion adopted by the Trustees of the Internal Improvement Fund on August 30, 1960, has been fully complied with, and the Trustees authorized that a certified copy of the Trustees' minutes on this matter be forwarded to Mr. Redfearn for the purpose of recording the same in the Public Records of Dade County, Florida.

HURRICANE DAMAGE STUDY COMMITTEE - The Hurricane Damage Study Committee presented to the Trustees and the Board of Commis-

sioners of State Institutions the "Florida Hurricane Report" prepared as a result of the selection and appointment by the Governor, authorized by the Trustees on September 20, 1960, of a group of professional men as a committee to act in an advisory capacity to the State in a broad study of effects of hurricane "Donna". The following were introduced as members of the committee: Chairman John Stetson, Norman L. Bryan, Lawrence Farrer, Walter G. Stephan, M. A. Yelvington, Philip H. Hiss, and Stephen J. Ginocchio, administrative assistant. It was stated that the damage inflicted by the hurricane could have been greatly avoided had there not been carelessness in location and construction of buildings, that the State of Florida should do something to prevent losses in the future, and that the committee hoped the technical data and common sense suggestions in the report would be the basis of legislation for the protection of the public.

Governor Collins stated that these committeemen, in contributing their time without compensation, represented the best in citizenship and professional responsibility toward public need.

(See  
Dec. 27  
Minutes)

Upon motion by Attorney General Ervin, unanimously adopted as joint action of the Trustees of the Internal Improvement Fund and the Board of Commissioners of State Institutions, the Board authorized the preparation of an appropriate resolution to be incorporated in the minutes.

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CAPITOL CENTER - Request was presented from John S. Gwynn on behalf of the Tallahassee Junior Museum, holder of Lease No. 1156 on the Capitol Center property known as the old McMillan house, Lot 231 of Original Plan of Tallahassee, for one year extension of the lease from termination date of December 18, 1960. The Board was informed that the museum was presently raising funds to build on an acquired tract of land, and appreciation was expressed for the Trustees' help in the past.

Without objection, the Trustees approved one-year extension of lease to the Tallahassee Junior Museum, under the same terms and conditions and subject to the Museum continuing to maintain liability insurance covering the operation.

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CAPITOL CENTER - Purchase contract was submitted for acquisition by the Trustees from Nellie L. Garland and Annie I. Garland of the property described as the N $\frac{1}{2}$  of Lot 136, Original Plan of Tallahassee, fronting 85 feet on South Calhoun Street, extending back westerly 130 feet, for purchase price of \$18,000.00.

Upon motion by Mr. Larson, duly adopted, the Board approved the purchase of the property to be included in the Capitol Center, and authorized warrant drawn for payment from Trustees' funds in the amount of \$18,000.00.

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CAPITOL BUILDING - Alterations. On October 11 the Trustees in joint action with the Board of Commissioners of State Institutions, authorized contract with the low bidder, J. O. Carlile, for alterations in the capitol building sub-basement, amounting to \$57,420.00, to accommodate press and television representatives. The Coordinator for State Institutions submitted two construction change orders approved by the Architect-Engineer for the Board of Commissioners which increased the contract total to the amount of \$57,873.90.

Upon motion by Commissioner Thompson, duly adopted, the Trustees approved the increased contract amount of \$57,873.90 and authorized payment from Trustees' funds.

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TRUSTEES OFFICE - On October 4, 1960, the Trustees approved the employment of Miss Jentye Dedge for a period of one to one and one-half months at a cost of \$750.00 to sort, classify, index and otherwise evaluate all of the old Trustees' files removed

from the sub-basement of the capitol building. The work consumed more time than anticipated, and since other records in the office required examination and condensing for permanent filing, the Director requested that the Trustees authorize continuation of the project for a like period of time at the same cost.

Upon motion by Comptroller Green, duly adopted, the Trustees approved the continued employment of Miss Dedge for one to one and one-half months for \$750.00 for the work described, it being understood that her state retirement benefits would be forfeited during the period of employment.

TRUSTEES OFFICE - Without objection, the Trustees authorized purchase of four goodyear Custom Nylon Blackwall tires, size 7:50 x 14, for the Trustees' Plymouth automobile, purchase to be made under regulations and prices established by the State Purchasing Council, with the old tires being traded to the dealer furnishing the new tires in compensation for installation and wheel balancing costs. The cost of new tires according to information from the Purchasing Council was \$61.88 for the set of four.

#### SUBJECTS UNDER CHAPTER 18296

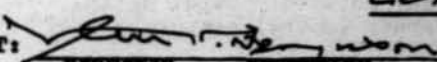
Without objection, the Trustees approved Bidding Report No. 771 listing two regular bids for purchase of land under the Murphy Act, and listing two corrective deeds approved by the Attorney General's office, as follows: County of Citrus Deed No. 143- Corrective to Scott Hearn Lumber Company to correct name of grantee in original deed, and County of Manatee Deed No. 1248- Corrective to Ray E. Anderson and Maude L. Anderson, to supply more sufficient description of land conveyed in original deed.

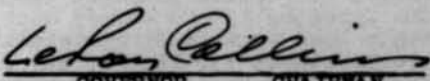
JEFFERSON COUNTY - Morris Hall offered \$20.00 for conveyance under Chapter 28317, Acts of 1953, commonly called the Hardship Act, of two acres of land as described in Deed Book "Y", page 304 of public records of Jefferson County, Florida, embraced in Tax Sale Certificate No. 82 of 1933, and others. Statement of the Clerk of the Circuit Court showed compliance with the requirements of the Act.

Upon motion duly adopted, the Trustees authorized issuance of deed to the applicant under the Hardship Act upon payment of \$20.00.

Upon motion duly adopted, the Trustees adjourned.

ATTEST:

  
DIRECTOR - SECRETARY

  
GOVERNOR - CHAIRMAN

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Tallahassee, Florida  
December 20, 1960

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	LeRoy Collins	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Lee Thompson	Commissioner of Agriculture

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Van H. Ferguson      Director-Secretary

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BREVARD COUNTY - File No. 501-05-253.12. Presented for further consideration was application of the City of Melbourne for grant of land for municipal recreation area and marina covering (a) 10.9 acres of submerged Indian River land in City of Melbourne in Section 2, Township 28 South, Range 37 East, south of and adjacent to State Road 516 (Causeway), and (b) 3.15 acres of sovereignty land being the southerly 100 feet of a segment of the former 400-foot right of way of State Road No. 516.

Under authorization of February 16, 1960, the land was advertised for objections only and on April 26 the Trustees deferred action on the city's request for opportunity to work out objection filed by the State Road Department. The Road Department subsequently reached agreement with the city and tendered quitclaim of the southerly 100 feet of its 400-foot right of way to the Trustees subject to stipulations whereunder the city should provide an extra pavement lane for traffic, revise the parkway to allow the extra lane, prohibit parking within 100 feet of highway centerline, all without cost to the Road Department, also leave channel from relief bridge open and provide drainage between highway and proposed fill, plans and construction to be approved by Road Department; and no dredging would be permitted in the strip of quitclaimed right of way.

The City of Melbourne proposed to lease the land up to thirty years to finance construction and facilities which would then vest in the city as public facilities. Coastal Engineering Laboratory raised questions concerning the original plan considered Nov. 3, 1959, but did approve the present plan from the standpoint of coastal engineering.

Upon motion by Comptroller Green, duly adopted, the Trustees approved grant of the land requested by the City of Melbourne for municipal recreation purposes subject to the city filing resolution agreeing (1) to comply with conditions set forth in the State Road Department quitclaim, and (2) that no dredging could be done within 250 feet of any privately owned upland, and the Board referred to the Attorney General preparation of the instrument evidencing the grant.

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OKEECHOBEE COUNTY - On August 30, 1960, the Trustees confirmed sale to Jack and Ethel Rogers, high bidders at competitive sale held by the Clerk of the Circuit Court of Okeechobee County at the Courthouse, covering two contiguous parcels of land aggregating 0.43 acres, being former Murphy Act land purchased by Trustees from the State of Florida. Subsequent to confirmation, it was found that the Clerk's sale proposal, the published notice and report of sale all contained a 10-foot error in description of one parcel, the course having been described erroneously as 58.7 feet instead of 68.7 feet as set forth in the tax sale certificate. Therefore, there was left unsold a triangular parcel 10 feet wide and 150 feet long which was readvertised at Trustees' expense, public sale held by the Clerk under a

minimum base bid requirement of \$10.00, and the Clerk reported the high bid of \$20.00 by Jack and Ethel Rogers for the omitted strip.

Upon motion by Mr. Larson, duly adopted, the Trustees confirmed sale to the high bidders and authorized payment of the Clerk's fee of \$10.00.

#### APPLICATIONS TO PURCHASE

CHARLOTTE COUNTY - File No. 786-08-253.12. P. L. Crawford, abutting upland owner represented by Walter S. Hardin Realty Company, offered the appraised price of \$200.00 per acre for a parcel of submerged land in Lemon Bay in Section 33 of Township 41 South, Range 20 East, containing 2.33 acres landward of bulkhead line previously established.

Without objection, the Trustees authorized advertisement of the parcel for objections only.

CHARLOTTE COUNTY - File No. 787-18-253.12. Grove City Realty Corporation, abutting upland owner represented by Walter S. Hardin Realty Company, offered the appraised price of \$200.00 per acre for a parcel of submerged land in Lemon Bay in Section 33, Township 41 South, Range 20 East, containing 4.25 acres within the bulkhead line previously established.

Without objection, the Trustees authorized advertisement of the parcel for objections only.

DADE COUNTY - On July 24, 1956, the Trustees confirmed sale of "a parcel of submerged land in Biscayne Bay in Sections 22 and 23, Township 56 South, Range 40 East, lying easterly of Government Lot 4 of said Section 22 and containing 175 acres, more or less" to applicants Charles F. Harvey and Helen A. Arnold. The Director informed the Board that no accurate plat or description was found, that statutory authority did not exist for such sale, that sale was protested by James L. Paxson, Jr., et al, claiming a superior right to purchase as owners of Government Lots 1, 2 and 3 in Section 22, and objectors brought suit which had been pending three years with Trustees as defendants. During that period, the bulkhead line established by Dade County was approved by Trustees, and part of the 175 acres was bayward from the bulkhead line which elsewhere was bayward from the 175 acres.

On November 2, 1959, settlement of the suit for possible consummation of sale to Harvey and Arnold appeared in prospect. The staff and office of the Attorney General advised the private litigants suggesting (1) disposition of the suit, (2) approval of bulkhead line (since approved), (3) notice to all parties in advance of consideration by Trustees, (4) authorization for new advertisement for objections in compliance with 1957 bulkhead act, the new advertisement to include area to bulkhead line which was beyond the original 175-acre sale. The 1956 price was deemed applicable to the lands previously advertised, current appraised price to be required for the additional area out to the bulkhead line. Outline of the necessary information and map data was furnished, but the required maps and other material were not supplied by applicants.

On December 19, 1960, the staff received copy of a proposed agreement between Paxson et al and Harvey et al under which the parties propose purchase within and adjacent to the area originally sought by Harvey and advertised in 1956, and agreement did not contemplate purchase of all of the area to the bulkhead line as was contemplated on November 2, 1959.

Manuel Lubel, attorney for the applicant, urged consummation of sale to the applicant based on the 1956 confirmation.

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The Trustees stated that advertisement and hearing of objections could not be waived, but that sale could be made provided (1) applicants furnish maps and other data now required, and (2) Mr. Harvey furnish cross-sections and estimate of volume by a registered engineer acceptable to Trustees of material taken by excavation of channel in vicinity of a U. S. permit, under which permit he was charged with violation by U. S. Engineers for having excavated beyond authorized limits, and subject to accounting and settlement being made with Trustees for material taken beyond the approved volume; and the Board directed Assistant Attorney General McLane to work out legal details.

PINELLAS COUNTY - Files 739 and 740-52-253.12. Without objection, on request of the applicant for postponement of consideration, the Trustees deferred action on the following applications for Sand Key submerged lands, bulkhead lines for which were approved on October 4, 1960:

File No. 739-52-253.12. Application by Nora Mae Peabody, et al, for 17.5 acres. Offer of appraised price not yet received.

File No. 740-52-253.12. Application by Ed. C. Wright for 316.1 acres. Processing should be coordinated with the above item.

#### BULKHEAD LINES

ESCAMBIA COUNTY - On October 4, 1960, action was deferred on the bulkhead line fixed August 25, 1960 by the City Council of the City of Pensacola by Resolution No. 34-60, for zone east of new Bayou Texar Channel, east of Old Pensacola Bridge approach south-erly of the arm of land between Bayou Texar and Pensacola Bay. In considering bulkhead line, the anticipated fill project was brought into the discussion. Report made in 1959 by Coastal Engineering Laboratory considered effects of contemplated filling by riparian upland owner would improve the shore erosion conditions, would not adversely affect storm tides, currents, freshwater outflow, wave action or stagnation, and would improve navigation. John B. Hoag's development plan appeared sound and the staff recommended approval of the bulkhead line as fixed and submitted by the City of Pensacola.

Objections, mainly by and on behalf of owners of property beyond 1000 feet, were heard at length on October 4. Objectors filed petition and newspaper editorials dated July 20 and August 15 which indicated some concern over the bulkhead line for the proposed "Gateway Project". However, the same newspaper on November 20 published an editorial calling attention to the line as much reduced from the original proposed line and approving the project under which "there will be practically no curtailment of view" and would develop "what is now an unsightly area".

Representing objectors, E. Dixie Beggs restated protests of many property owners and asked the Board to refer the line back to the City Council with suggestion for outback as suggested by the Governor on October 4. Protests were made by wire and in person by Wallace Mayo, L. C. Fisher, Jr., T. T. Wentworth, Jr., and others.

J. Henry Jones, attorney representing the applicant, cited provisions in the law relating to riparian rights, argued that the Trustees should formally approve a bulkhead line fixed in accordance with provisions of the Bulkhead Act by a local authority, called attention to the study, technical assistance from the Coastal Laboratory, public notice and hearings by the City. He pointed out that only the bulkhead line was before the Board, that application to purchase and fill would come later. Recommending approval of the bulkhead line fixed by the City were City Attorney Churchill Mellen and Mayor pro tem Ed. P. McCullough, who expressed the belief that the city had acted in the public interest and its findings should not be arbitrarily changed by the Trustees.



The Trustees explained that bulkhead lines were viewed in relation to the over-all state picture, that bulkhead lines were considered from the viewpoint of anticipated sales and filling, that merits of each application were considered but that area-wide planning was desired and in this case the proposed extension indicated applications to extend would be made all along the margin of Pensacola Bay. Attorney General Ervin said that the bulkhead line should be returned to the city with the suggestion from the Trustees that until there has been more development in the area there should not be precedent established for extensions out into Pensacola Bay.

Governor Collins said that he was reluctant to approve the recommended bulkhead line, that he thought the Trustees should exercise discretion in the public interest, that he would not object to a development at that location of about one-half the proposed size and with the line brought back to the shore instead of jutting out to which suggestion the objectors present indicated approval.

Upon motion by Treasurer Larson, duly adopted, the Trustees deferred action on the bulkhead line with the suggestion that the City of Pensacola consider revision to limit the submerged area for possible sale and indicated that the revision should begin 1300 feet southerly from the southerly right of way line of the railroad and 525 feet easterly from and at right angles to the centerline of the Old Pensacola Bay Bridge and run northeasterly to the mean high water line at or near the east end of the Hoag upland, the line curving concave to the southeasterly and including roughly one-half of the area which was enclosed by the line fixed on August 25.

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**PALM BEACH COUNTY** - Presented for formal approval was the bulkhead line fixed by the Board of County Commissioners of Palm Beach County by Resolution adopted September 26, 1960, for lands along Jupiter River, Intracoastal Waterway and Florida East Coast Canal, in Section 6 of Township 41 South, Range 43 East, and Section 31, Township 40 South, Range 43 East, outside the corporate limits of any municipality, and also bulkhead lines fixed by Ordinance No. 186 adopted by the Town Commission of the Town of Jupiter along the Jupiter River, Intracoastal Waterway and Florida East Coast Canal inside the corporate limits of the municipality.

Without objection, the Trustees formally approved the bulkhead lines fixed by Palm Beach County and the Town of Jupiter in accordance with provisions of Chapter 253.122 Florida Statutes.

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**BROWARD COUNTY** - The City Commission of Fort Lauderdale submitted its Ordinance No. C-1692 fixing a closed bulkhead line in New River Sound and Davock Bay around Catalina Isle and adjacent submerged land which had been in private ownership more than 25 years, the encompassed area lying less than 250 feet from the Isla Bahia development on the southwest and apparently less than 120 feet from Isla Bahia on the southeast.

Since the bulkhead line appeared to extend into the right of way of the Intracoastal Waterway, the Trustees' staff recommended that action be deferred and that the city be requested to consider making revision to avoid infringement upon the waterway right of way and reduction of the area easterly of Catalina Isle to avoid constriction of the water area or to conform more closely to the island land mass.

Upon motion by Mr. Green, duly adopted, the Trustees approved the recommendation of the staff as the action of the Board.

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**PINELLAS COUNTY** - Presented for formal approval was the bulkhead line for the City of Oldsmar adopted by Pinellas County Water and Navigation Control Authority on November 10, 1960. At the

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public hearing in the city, approval was unanimous and the transcript of county hearing showed that the line was cut back 175 feet in an area where objections were filed by several owners.

Upon motion by Mr. Green, duly adopted, the Trustees formally approved the bulkhead line for the City of Oldsmar adopted by Pinellas County Authority on November 10, 1960, in accordance with provisions of Chapter 253.122 Florida Statutes.

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#### MISCELLANEOUS

BROWARD AND DADE COUNTIES - Central and Southern Florida Flood Control District requested a surface or flowage easement to all lands which might be located within a possible hiatus northerly of the Tamiami Canal and southerly of the north line of Broward County. Explanation was made that over the years there has been considerable discussion concerning the existence of a hiatus between Ranges 36 and 37 through Dade and Broward Counties. Due to the fact that Range 36 has not been surveyed, there was little argument for or against the possible existence of this hiatus.

Upon motion by Mr. Green, the Trustees authorized issuance of surface or flowage easement as requested by Central and Southern Florida Flood Control District.

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DADE COUNTY - The Central and Southern Florida Flood Control District in checking out project requirements for Levee L-29, the southerly boundary of Conservation Area No. 3, advised that fee title was required to five small parcels of land for construction of discharge structures S-12A through S-12E in Section 15 of Township 54 South, Range 35 East, Sections 13, 15 and 18 of Township 54 South, Range 36 East, and Sections 6 and 7 of Township 54 South, Range 37 East. Also the District requested right of way easement for discharge channels from the above structures to the north right of way line of U. S. Highway 41, together with temporary easements to expire Dec. 31, 1963, along the side of the channel rights of way for construction and work areas.

Upon motion by Mr. Green, duly adopted, the Trustees authorized issuance of fee title deeds and the instruments conveying the temporary and permanent easements as requested by the Central and Southern Florida Flood Control District.

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DADE COUNTY - Nicola Associates applied for lease or purchase of one acre in the South Bay shoal area 7920 feet south 26°20' West from the tower of the old Cape Florida lighthouse, upon which is located building and dock on barge supported by piling. William C. Lantaff, representing the applicant, advised that the structure had been in existence for a number of years.

In accordance with Trustees' policy adopted November 15, 1960, and since the structure was in existence and lease was authorized November 15 of a similar area in South Bay until August 17, 1964 covering an existing house, the Director recommended lease to the applicants with similar terms.

Upon motion duly adopted, the Trustees authorized campsite lease to Nicola Associates to expire August 17, 1964, subject to cancellation by Trustees on 120-day written notice, with rental of \$60.00 per year.

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DUVAL COUNTY - File No. 628-16-253.124. Upon motion by Mr. Green, duly adopted, the Trustees formally approved fill permit No. BDM-4062 issued by the City of Jacksonville on December 13, 1960, to Baptist Memorial Hospital to fill submerged area recently conveyed landward of the established bulkhead line.

POLK COUNTY - Five applications for fill permits were presented from upland owners to remove from bottoms of Crooked Lake and Lake Reedy in Polk County riparian to their properties the following amounts of fill material to repair storm damage and otherwise improve their upland.

(1) James H. McConnell applied for 2200 cubic yards from Crooked Lake, from in front of a part of U. S. Lot 3 in Section 25, Township 30 South, Range 27 East, for a charge of \$110.00;

(2) John A. Cuttle applied for 750 cubic yards from Crooked Lake, from in front of a part of Government Lot 1 of Section 25, Township 30 South, Range 27 East, at a charge of \$37.50;

(3) Neil D. Mooers applied for 2000 cubic yards from Crooked Lake, from in front of part of Government Lot 4 of Section 25, Township 30 South, Range 27 East, for a charge of \$100.00;

(4) G. F. Graner applied for 500 cubic yards from Lake Reedy from in front of applicant's upland in Section 28, Township 31 South, Range 28 East, for a charge of \$25.00;

(5) Ernest L. Brown applied for 400 cubic yards from Lake Reedy from in front of his upland in Section 26, Township 31 South, Range 28 East, for a charge of \$25.00.

The State Game and Fresh Water Fish Commission had approved the work proposed in all the above applications.

Without objection, the Trustees authorized issuance of the standard permits to the five applicants for the amounts of material requested and subject to payment as listed above.

TIDELANDS CASE - Upon motion by Attorney General Ervin, seconded by Comptroller Green, the Trustees directed that the Final Decree of the Supreme Court of the United States dated December 12, 1960, in the Tidelands Case, be spread on the minutes of the Trustees.

SUPREME COURT OF THE UNITED STATES  
No. 10. Original - October Term, 1960

United States of America, Plaintiff,	)	On Motion for
v.		Judgment on
States of Louisiana, Texas, Missis-		Amended Complaint.
sippi, Alabama and Florida.		

(December 12, 1960)

FINAL DECREE.

This cause having come on to be heard on the motion of the plaintiff for judgment and to dismiss the cross-bill of the State of Alabama, and having been argued by counsel, and this Court having stated its conclusions in its opinions announced on May 31, 1960, 363 U.S.1,121, and having considered the positions of the respective parties as to the terms of this decree, it is ordered, adjudged and decreed as follows:

1. As against the respective defendant States, the United States is entitled to all the lands, minerals and other natural resources underlying the Gulf of Mexico more than three geographic miles seaward from the coast lines of Louisiana, Mississippi and Alabama, and more than three leagues seaward from the coast lines of Texas and Florida, and extending seaward to the edge of the Continental Shelf. None of the States of Louisiana, Texas, Mississippi, Alabama or Florida is entitled to any interest in such lands, minerals or resources, and

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each of said States, their privies, assigns, lessees and other persons claiming under any of them are hereby enjoined from interfering with the rights of the United States in such lands, minerals and resources. As used in this decree, the term "coast line" means the line of ordinary low water along that portion of the coast which is in direct contact with the open sea and the line marking the seaward limit of inland waters.

2. As against the United States, the defendant States are respectively entitled to all the lands, minerals and other natural resources underlying the Gulf of Mexico, extending seaward from their coast lines for a distance of three leagues in the case of Texas and Florida and three geographic miles in the case of Louisiana, Mississippi and Alabama, and the United States is not entitled, as against any of such States, to any interest in such lands, minerals or resources, with the exceptions provided by § 5 of the Submerged Lands Act, 43 U.S.C. § 1313.

3. Whenever the location of the coast line of any of the defendant States shall be agreed upon or determined, such State shall thereupon promptly render to the United States a true, full, accurate and appropriate account of any and all sums of money derived by such State since June 5, 1950, either by sale, leasing, licensing, exploitation or otherwise from or on account of any of the lands or resources described in paragraph 1 hereof which lie opposite to such coast line so agreed upon or determined, and, after said account has been rendered and filed with and approved by the Court, shall promptly pay to the United States a sum equal to such amounts shown by said account as so derived by said State; provided, however, that as to the State of Louisiana the allocation, withdrawal and payment of any funds now impounded under the Interim Agreement between the United States and the State of Louisiana, dated October 12, 1956, shall, subject to the terms hereof, be made in accordance with the appropriate provisions of said Agreement.

4. The cross-bill of the State of Alabama is dismissed.

5. All motions to take depositions and present evidence are denied without prejudice to their renewal in such further proceedings as may be had in connection with matters left open by this decree.

6. The motion of the State of Texas for severance is dismissed.

7. The motion of the State of Louisiana to transfer the case to a district court is denied.

8. Jurisdiction is reserved by this Court to entertain such further proceedings, enter such orders and issue such writs as may from time to time be deemed necessary or advisable to give proper force and effect to this decree.

The Chief Justice and Mr. Justice Clark took no part in the formulation of this decree.

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**TRUSTEES' FUNDS** - On October 27, 1959, the Trustees advanced \$225,000.00 to the Department of Public Safety "to start construction of the first phase of a new wing to the headquarters building", that amount to be ear-marked and repaid to the Trustees out of the Department's appropriation to be requested from the 1961 Legislature. Since the advance did not appear to have been made for use other than for building construction, the Director asked for instruction on a matter

presented by the Coordinator of State Institutions. Two sets of bids were obtained by the Department of Public Safety for 43 chairs with request by Major Wallace Smith, Executive Officer, that chairs aggregating \$1838.20 be charged to funds appropriated for addition to the General Headquarters building. It was noted that this was not the lowest bid, but was an alternate bid from General Office Equipment & Printing Company, the firm which also submitted the lowest bid.

Without objection, the Trustees approved payment, from the \$225,000.00 previously advanced to the Department of Public Safety, of the amount requested for the chairs, provided the State Purchasing Council approved awarding that bid.

HURRICANE DAMAGE STUDY COMMITTEE - Motion was made by Mr. Larson, unanimously adopted, that the Hurricane Damage Study Committee which presented report on December 13, 1960, to the Trustees be requested to continue its study and remain active to make specific recommendations to the next Legislature, and that the services of the Attorney General's office be available to assist the committee on proposed legislation.

CAPITOL CENTER - Terry Lee, Coordinator of State Institutions, presented report from H. Pierce Ford, Sr., with reference to two parcels of Capitol Center property on which agreement was reached by the owners as to selling price, as follows:

Mrs. Ida Webb property on South Calhoun Street, described as Begin at a point 60 feet North of SW corner of Lot 33 Sub. of Old Plan; run East 110 feet, North 55 feet, West 110 feet, South 55 feet to the Point of Beginning; price, \$12,250.00;


W. H. Cates property on Bronough Street, described as 56.4 feet North and South by 116 feet East and West in the NW corner of Lot 248 Sub. of Old Plan; price, \$10,000.00.

Upon motion by Mr. Green, adopted unanimously, the Trustees authorized purchase of the Webb and Cates properties and approved payment from Trustees' funds of the amounts of \$12,250.00 and \$10,000.00, respectively, subject to approval of the Attorney General as to title and other legal details.

SUBJECTS UNDER CHAPTER 18296

Upon motion duly adopted, the Trustees approved Report No. 773 listing one bid for sale of land under the Murphy Act, and authorized issuance of deed pertaining thereto.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
December 27, 1960

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present: LeRoy Collins	Governor
Ray E. Green	Comptroller
J. Edwin Larson	Treasurer
Richard W. Ervin	Attorney General
Lee Thompson	Commissioner of Agriculture

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Van H. Ferguson	Director
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#### LAND SALE

PASCO COUNTY - File No. 600-51-253.12. On November 8 the Trustees approved the bulkhead line established by Pasco County Commission on August 9, 1960, and authorized advertisement for objections only of a tract of submerged land lying in the Gulf of Mexico west of and adjacent to part of Sections 13 and 24, Township 26 South, Range 15 East, containing 330 acres, more or less, adjacent to the upland ownership of Robert E. Maxwell, the applicant. The tract was advertised in the New Port Richey Press, proof of publication filed with the Trustees, and no new objections to the sale were received.

S. E. Mickler, objector who was heard at length by the Trustees at several meetings, filed letter of protest dated November 14, and was present at the meeting on this date. He was advised that the area between the bulkhead line and private upland would be so divided as sales were made that each riparian upland owner would receive a fair allocation of the area if he desired to purchase, but that no upland owner was required to purchase.

Governor Collins assured Mr. Mickler that in view of the recommendations of the Trustees' staff and legal advisors, the Board's decision had to be concluded to approve the bulkhead line and the apportionment of submerged land which was fair and equitable, and that the objector having conflicting interpretation could take recourse in legal action.

Comptroller Green stated that the \$150.00 per acre value recommended by the Director as being uniform with a comparable sale nearer to Port Richey, appeared to be a fair and good price for the land.

Upon motion by Commissioner Thompson, seconded by Treasurer Larson and duly adopted, the Trustees overruled the objections and confirmed sale of the advertised lands to Mr. Maxwell for the price offered, \$150.00 per acre.

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#### BULKHEAD LINE

PASCO COUNTY - Presented to the Trustees for formal approval were bulkhead lines for the entire Gulf of Mexico frontage north of and at Port Richey which were fixed by the Board of County Commissioners December 14, 1960, without opposition, and with no objections filed in the Trustees' office. The Director advised that the over-all system of lines included and was coordinated with lines previously fixed and approved, also two segments previously fixed but upon which approval was deferred for correlation with an over-all line; that studies and reports were made by the State Board of Conservation Marine Laboratory at St. Petersburg and by the Coastal Engineering Laboratory; that the line was modified before adoption and reductions made to coordinate with recommendation of the Trustees; that the lines fixed allowed no filling in the Fithlachascotee River at Port Richey.

The Coastal Laboratory recommended two short relief channels should be provided in development along the pocket at Boggy Bay to eliminate the effect of a storm tide funnel. The line for



the proposed Emerald Beach development was carried offshore to encompass an area in which outcroppings of rock exist. Solid fill of that area would create serious tidal problems, and the Laboratory made a special study and designed the basic fill and development plan to include development of the swampy margin of mainland separated from an offshore group of islands by a channel 1000 feet wide, the island layout to include a 1000-foot channel and six 500-foot channels, all oriented in manner to improve the zone with reference to normal and storm tides, provide tidal relief in hurricanes, reduce adverse wave action, avoid dead water areas through orderly circulation and preserve the marine life in Fillman Bayou reported by the Board of Conservation.

Mr. Ferguson explained that the Gulf shoreline was a broad shallow salt marsh including small shoal water islands on limestone with many rock exposures and shoals in offshore areas, no natural sandy beaches, so shallow offshore that the six-foot depth contour was about 2.2 miles from the shore.

The Trustees examined the bulkhead map submitted and Mr. Larson stated that the county had worked out good bulkhead lines.

Upon motion by Commissioner Thompson, adopted without objection, the Trustees formally approved the bulkhead line fixed by the Pasco County Commission on December 14, 1960, to the offshore limit at the north end of the line, and directed that the records and maps filed with the Trustees be inscribed with notations calling attention to the requirement, in the zone between Boggy Bay and Millers Bayou, of the relief channels recommended by the Coastal Engineering Laboratory, and that any future fill and development in the Emerald Beach area should conform to the basic development plan shown on map, Figure 8 of the Coastal Laboratory's report dated November 1960.

#### APPLICATION TO PURCHASE

PASCO COUNTY - File No. 774-51-253.12. Gulf Land Enterprises, Inc., abutting upland owner represented by James J. Altman, applied to purchase a tract of submerged land in the Gulf of Mexico in Section 33, Township 24 South, Range 16 East, landward of a portion of the bulkhead line approved above, for which the applicant agreed to pay the appraised price - to be secured.

Upon motion by Mr. Larson, duly adopted, the Trustees authorized the land advertised for objections only.

PINELLAS COUNTY - File No. 781-52-253.12. Bulkhead Line; Application to Purchase; and Fill Permit.

On December 13, the Trustees considered application of Arlie S. Parkerson, et al, for approval of bulkhead line fixed by Pinellas County Water and Navigation Control Authority around Cunningham Key and adjacent sovereignty land. The Trustees conditionally approved sale of a total of 62 acres to be added to the privately owned island, subject to the bulkhead line being referred back to the County Authority with suggestion for revision and cut-back to accommodate sale of not more than 62 acres of sovereignty land.

Recommended for formal approval on this date was the bulkhead line fixed by the County Authority on December 22, 1960, being a reduction in limits within the area encompassed by the line fixed in October. The revised line allowed addition of 61.91 acres of sovereignty land in Section 32, Township 32 South, Range 16 East, and the County Authority in regular meeting on December 22 also approved the sale and granted dredge and fill permit for the reduced area.

Upon motion by Mr. Larson, adopted without objection, the Trustees formally approved the bulkhead line fixed by the Pinellas County Water and Navigation Control Authority on December 22, 1960, for the Cunningham Key area, approved sale of the 61.91 acres of sovereignty land for \$500.00 per acre, and also approved the revised fill permit granted by the Pinellas County Authority on December 22, 1960.

MISCELLANEOUS

ESCAMBIA AND SANTA ROSA COUNTIES - Lease. On November 2, 1960, the Trustees took under advisement the application of Pace Sand and Gravel Company for a 20-year sand and gravel lease covering the sovereignty bottom lands of the Escambia River, asked the applicant to determine the shortest lease term consistent with a sound business proposition for the firm, and suggested study and report concerning provisions for a suitable lease.

U. S. Army Corps of Engineers did not object to award of the lease, and permit from the Corps would be required containing restrictions for protection of navigation.

The Director recommended 10-year lease with initial royalty of 15¢ per cubic yard, \$50.00 per month minimum and surety bond of \$5000.00, with provision for possible adjustment of the royalty rate upward at the end of the 4th and 8th years to make the rate uniform with royalty rates in other leases made or in effect at such times, with a clause for forfeiture of lease in event of lapse of twelve consecutive months without production (royalties in excess of the \$50.00 monthly minimum for 12-month period), and with the usual conditions concerning rights of upland owners and damage.

Without objection, upon motion by Mr. Larson, the Trustees authorized issuance of 10-year lease to Pace Sand and Gravel Company containing the provisions recommended by the Director, as listed above.

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OKEECHOBEE COUNTY - Contract No. 21653. The Director recommended approval of contract assignment executed March 21, 1958, by Max M. Singer and wife to Leo Landis and wife (undivided one-third interest) and Harold Abbott and wife (undivided one-third interest), the remaining one-third interest retained by Mr. Singer, now deceased. The parties agreed to make payments equally and abide by the conditions of the contract.

Without objection, the Trustees approved the assignment of contract.

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PINELLAS COUNTY - File No. 236-52-253.124 (22548). Without objection, the Trustees formally approved Dredge-Fill Permit No. DF111 dated December 12, 1960, granted to James Thomas by Pinellas County Water and Navigation Control Authority in regular meeting on December 8-9, 1960, to fill lands previously conveyed by the Trustees.

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PINELLAS COUNTY - File No. 754-52-253.124. Without objection, the Trustees formally approved Dredge-Fill Permit No. DF123 dated December 21, 1960, to Normandy, Inc., as granted by Pinellas County Water and Navigation Control Authority in regular meeting on December 8-9, 1960, to fill lands recently conveyed by the Trustees. Transcript of the County Authority meeting cited firm commitments by the permittee, including commitment that the dredging area used would be that shoal area which the City of St. Petersburg Beach desired made more navigable between Bahia Shores and Brightwater Beach Estates, complying with the recommendation of the Trustees' Director recorded in minutes of December 13, 1960.

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PINELLAS COUNTY, MONROE COUNTY - The Attorney General had suggested that the minutes reflect the content of Memorandum of Assistant Attorney General Ralph M. McLane dated December 20, 1960, concerning conference attended on December 19 by Comptroller Green, Ed C. Wright and his secretary, J. Lewis Hall (representing Mr. Wright), Mr. McLane and the Director. The conference was concerned with bulkhead lines offshore from upland of Mr. Wright in Pinellas County at Weedon and Ross Islands, Sand Key and in Tampa Bay between Airport and Gandy Bridge (on each side of Howard Frankland Causeway and bridge including Big Island, recently patented by the United States to the State), being areas proposed for acquisition by Mr. Wright and under which Mr. Wright

sought compensation for damages incurred by the taking of State Road rights of way for the Frankland Bridge project and in its vicinity.

In addition, discussion involved a contemplated purchase under which the Trustees might acquire from Mr. Wright upland on Key Largo for all or part to be used as a base of operations in connection with the Key Largo Coral Reef Preserve, the Key Largo parcel having been appraised for the Trustees at \$1500.00 per acre, considerably lower than anticipated. It was made clear by the Committee appointed by the Trustees that negotiations for the Key Largo land related only to the submerged land at Sand Key, copy of the appraisal of which had been loaned for study by Mr. Wright who sought to discredit the value assigned at Sand Key.

The proposed assumption of obligation by Trustees to pay right of way costs and damages which were the responsibility of Pinellas County (and the State Road Department) was discouraged. The conference resulted in request by Mr. Wright for withdrawal of the Sand Key item from the agenda of the December 20th meeting and that Mr. Wright, at that time, did not feel that negotiations for the Key Largo land could proceed without a package-type transaction involving the Pinellas submerged lands.

Mr. Robert C. Parker of the Attorney General's office reported briefly that it appeared an impasse had been reached.

The Trustees accepted the report for the minutes.

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SARASOTA, CHARLOTTE, LEE COUNTIES - Request for reimbursement was made by Farr and Farr on behalf of Charlotte Properties, Inc., holder of Mineral Lease No. 935 issued May 5, 1954, covering submerged lands leased in 1941 to Coastal Petroleum Company for oil, gas, sulphur and under which litigation developed in which Charlotte Properties, Inc., participated and upon which the District Court of Appeals discharged writ of certiorari November 30, 1960, adjudicating the Coastal lease as embracing minerals included in the Charlotte firm lease, the effect being to invalidate the latter.

Moratorium was granted May 27, 1958, as to royalty and monthly minimum payments under the Charlotte Properties lease pending outcome of the litigation. The Charlotte firm asked for reimbursement in the sum of \$3066.18 which included travel and certain other expenses, the bond premiums paid as required in the lease, and the monthly minimum payments made under the lease. The Attorney General found that reimbursement was in order for the sums paid as rental and royalty aggregating \$1201.00, that consideration might be given as to whether surety bond premiums should be reimbursed, and that the other items could not be approved for payment by the Trustees.

Upon motion by Mr. Green, adopted without objection, the Trustees authorized reimbursement to Charlotte Properties, Inc., of only the sums paid as rental and royalty, \$1201.00.

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FLORIDA HURRICANE STUDY COMMITTEE - On December 13 report was presented by the Florida Hurricane Study Committee and on the motion of Attorney General Ervin, the Trustees authorized an appropriate resolution to be recorded in the minutes. On December 20 it was determined that request should be made to the Chairman and members of the Committee to continue active study and make specific recommendations to the 1961 Legislature, the services of the Attorney General and his staff to be made available.

Upon motion duly adopted, the following resolution was approved:

RESOLUTION

WHEREAS the Trustees of the Internal Improvement Fund at its meeting held on September 20, 1960, authorized

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Governor LeRoy Collins to appoint a group of professional men to act as a committee to make a study of the effects Hurricane Donna had on the broad economic and human welfare conditions of the State of Florida.

WHEREAS, Governor LeRoy Collins, pursuant to authority granted in this action by the Trustees, did appoint the following outstanding citizens of the State of Florida, as members of the Committee: John Stetson, Chairman; Norman L. Bryan, Lawrence Farrer, Walter G. Stephan, M. A. Yelvington, Philip H. Hiss, with Stephen J. Ginocchio as administrative assistant.

WHEREAS pursuant to being advised of their appointment to serve on this Committee, these citizens, under the able leadership of Chairman John Stetson, did proceed to make a detailed study of the damages inflicted by Hurricane Donna upon all the areas visited by this devastating hurricane. That upon completion of this very comprehensive and exhaustive study, the Committee did prepare a report of its findings together with certain recommendations as to what actions might be taken by the citizens and all governmental agencies of the State to help minimize the great destruction and damages which occur as a result of the hurricanes which visit our State at infrequent intervals.

WHEREAS, this Committee did present to the Trustees of the Internal Improvement Fund and the Board of Commissioners of State Institutions at its meeting held on December 13, 1960, its report of the hurricane damage study in a pamphlet or booklet entitled "Florida Hurricane Report."

THEREFORE, BE IT RESOLVED by the Trustees of the Internal Improvement Fund of the State of Florida and the Board of Commissioners of State Institutions that they express to the individual members of this committee and each and every citizen who assisted them and the staff in the study and preparation of this report, "Florida Hurricane Report", the sincere appreciation and gratitude of the Trustees and members of the Board of Commissioners of State Institutions, to each of them for the unselfish devotion of these committee members to the public needs of the State by contributing of their time, energy and talents, without compensation, in the discharge of what they have deemed to be their responsibilities as citizens of our great State.

BE IT FURTHER RESOLVED by the Trustees of the Internal Improvement Fund of the State of Florida and the Board of Commissioners of State Institutions that this Committee and the individual members thereof be commended for the thorough and competent manner in which they have discharged their duties.

BE IT FURTHER RESOLVED that the Trustees of the Internal Improvement Fund designate the Trustees to keep the records and report of this committee and have it available for use by the Legislature of the State of Florida.

BE IT FURTHER RESOLVED that the Chairman of this Committee, Mr. John Stetson, and the individual committee members make themselves available to present this report and any other pertinent information that is thought advisable, to appropriate committee of the Legislature of the State of Florida.

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TRUSTEES' SPECIAL ASSISTANT - On October 18, 1956, the Trustees authorized employment of T. M. Shackleford, Jr., to do special investigation to help determine the facts concerning dredging and filling the submerged areas of Pinellas County, the Attorney General to assign particular subjects for investigation. On

this date Attorney General Ervin suggested that the Board be advised that the formative period in the Bulkhead Law program had been completed, the litigation involving the Puren Fill was completed as well as other litigation in the Pinellas County area, and that in his judgment the original purposes for which special counsel was recommended by the Governor no longer existed. Based on these facts, it was recommended that the services of the special attorney, no longer being needed, be discontinued.

Upon motion duly adopted, the Trustees approved the termination on December 31, 1960, of the services of Mr. Shackelford as special attorney.

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Assistant Attorney General Ralph M. McLane, recently appointed by Governor Collins as Circuit Judge for the First Circuit, expressed his appreciation for the members' cooperation during the time he served the Trustees, and he introduced Robert C. Parker of the Attorney General's Office, to whom will be assigned the Trustees' legal advisory work.

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SUBJECTS UNDER CHAPTER 18296

Upon motion duly adopted, the Trustees approved Report No. 774 listing four regular bids for sale of land under Chapter 18296, and authorized execution of deeds pertaining thereto.

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ALACHUA COUNTY - At the request of Attorney General Ervin there was presented application from Senator J. Emory Cross for issuance of disclaimer of the S $\frac{1}{2}$  of NE $\frac{1}{4}$  of Section 3, Township 8 South, Range 17 East, on behalf of the State of Florida and the Trustees, in accordance with provisions of Chapter 59-1045 Special Acts of 1959. It was noted in review of the House Bill June 12, 1959, before the same became law, that (1) parts of the tract appeared vested in the State under the Murphy Act subject to disposition under existing statutes and procedures, and (2) that lands not owned by the State nor Trustees appeared to be included.

The Director recommended issuance of ex parte disclaimer for delivery to Senator Cross with request that he arrange for the disclaimer to be recorded and for the recordation data to be furnished for entry in the Murphy Act and other records.

Without objection, the Trustees approved the recommendation of the Director as the action of the Board.

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CITRUS COUNTY - T.E. Edenfield offered \$163.68 for conveyance under Chapter 28317, Acts of 1953 (commonly called the Hardship Act), of a tract of land described as NW $\frac{1}{4}$  of SE $\frac{1}{4}$  less right of way of State Road No. 55 in Section 35 of Township 19 South, Range 17 East, 40 acres, more or less. Information in the file disclosed that on June 9, 1939, the tract was owned by Murphy Investment Co., which conveyed to T. T. Scott Lumber Co. on July 16, 1941, which in turn conveyed on November 19, 1941 to the applicant; that state and county taxes from 1933 through 1940 were not paid; that applicant had paid taxes since acquisition. The Trustees' staff advised that the application did not comply with regulations for conveyance under the Hardship Act.

Upon motion by Mr. Larson, duly adopted, the Trustees rejected the offer upon recommendation of the staff, and approved issuance of deed under the Hardship Act provided the minimum base bid of \$400.00 was offered for the land.

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LIBERTY COUNTY - Harold W. Bristol and Ethel G. Bristol, his wife, represented by Attorney Jack McPherson, offered \$1,070.00 for conveyance under Chapter 28317, Acts of 1953, of a tract of land in Section 18, Township 1 South, Range 7 West, Liberty

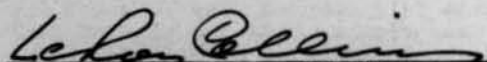
12-27-60

County, certified to the State under the Murphy Act in Part Tax Sale Certificate No. 180 of July 2, 1917, and others. The Clerk of the Circuit Court furnished information that applicant had deposited an amount to cover payment of all unpaid state and county taxes plus interest, and the Trustees' staff recommended acceptance of the applicant's offer.

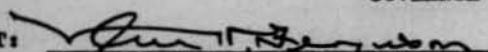
Attorney W. P. Shelley, Jr., was present on behalf of L. J. Ramsey, former owner of the parcel on June 9, 1939, who had conveyed to applicants on January 4, 1943 by warranty deed. Mr. Shelley explained that many records were destroyed when the Liberty County Courthouse burned, but that his client had paid the taxes, the former Clerk had expressed willingness to make affidavit that taxes had been paid for the years in question, and time was requested in which to produce satisfactory proof to clear up the matter.

Upon motion by Mr. Larson, duly adopted, the Trustees granted deferment for sixty days.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:

  
DIRECTOR - SECRETARY

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Tallahassee, Florida  
January 10, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture
	Van H. Ferguson	Director

Upon motion by Comptroller Green, unanimously adopted, the following resolution designating Governor Bryant as Chairman of the Trustees was adopted:

#### RESOLUTION

WHEREAS, it has been the custom of the Trustees of the Internal Improvement Fund to organize by designating the incoming Governor as Chairman of the said Trustees;

NOW, THEREFORE, BE IT RESOLVED that the Trustees of the Internal Improvement Fund designate the Honorable Farris Bryant, Governor of Florida, as Chairman of the Trustees of the Internal Improvement Fund, and, pursuant to custom, in his absence the next member of the Trustees according to the order in which their names appear designated in the Act creating the Internal Improvement Fund, shall preside as Chairman.

PERSONNEL - The first item of business was motion by Mr. Green, seconded by Mr. Larson, and adopted, that Mr. William R. Kidd be employed by the Trustees effective as of January 4, 1961, at a salary of \$12,000.00 per year, as Engineer to assist the Trustees' Staff through field work and to provide the Trustees with factual data concerning matters to be considered by the Board.

TRUSTEES' AGENDA - The Director recommended that the staff be authorized to maintain a Friday noon deadline for placement of items on the Agenda for the following Tuesday, exception to be made only on request of the member Trustees. Explanation was that the purpose was to make possible distribution of the agenda to the members one day in advance of the meetings.

Without objection, the Trustees approved the recommendation as the action of the board.

TRUSTEES' MINUTES - Upon motion by Comptroller Green, adopted without objection, the Trustees approved the minutes of the meetings on December 13, 20, and 27, 1960, which were approved by the Attorney General and copies presented to all members.

#### LAND SALES

DADE COUNTY - File No. 647-13-253.12. On November 22, 1960 the Trustees considered application by George Helker, abutting upland owner represented by Richard H. Hunt, for a parcel of submerged land appraised at \$2500.00 per acre in Biscayne Bay in the City of North Miami, Section 28, Township 52 South, Range 42 East, lying Southeasterly of and abutting Lots 212 to 223 inclusive, Block 14, of Sans Souci Estates as recorded in Plat Book 50, Page 86, Public Records of Dade County, containing

3.6 acres, more or less landward of the established bulkhead line. The parcel was advertised for objections only in The Miami Herald, proof of publication was filed with the Trustees, and no protest to the sale was received.

Central and Southern Florida Flood Control District waived objection to sale of the parcel.

Upon motion by Treasurer Larson, adopted without objection, the Trustees confirmed sale to the applicant at the appraised price.

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INDIAN RIVER COUNTY - File No. 782-31-253.12. On November 22, 1960, the Trustees considered application by Robert E. Beesley, et al, abutting upland owners represented by Lloyd and Associates, for a parcel of submerged land appraised at \$150.00 per acre lying in the Indian River in Section 25, Township 30 South, Range 38 East, containing 0.632 acres, more or less, landward of the established bulkhead line. The parcel was advertised for objections only in the Press Journal, Vero Beach, Florida, and proof of publication filed with the Trustees.

Objections to the sale by Lillie M. Lee were subsequently withdrawn, and all parties involved requested that the Trustees retain a drainage easement over the south five feet of the parcel applied for.

Without objection, the Trustees confirmed sale to the applicants at the appraised price subject to reservation in the deed of the south five feet of the property to be conveyed.

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MONROE COUNTY - File No. 783-44-253.12. On November 22, 1960, the Trustees considered application from Producers, Inc., and Paul Schmitt, the abutting upland owners represented by O. A. Crawshaw, for two tracts of submerged land in Section 18, Township 63 South, Range 38 East, Plantation Key, containing a total of 11.04 acres, more or less, for which the established value of \$300.00 per acre was offered. The land was advertised for objections only in the Key West Citizen, and proof of publication was filed with the Trustees.

Protest to the sale and request for deferment were made by Paul Shelley, Jr., attorney representing Abiah A. Church and wife who owned property adjacent to applicant.

Upon motion by Treasurer Larson, duly adopted, the Trustees deferred action until protest was heard and satisfied.

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MANATEE COUNTY - File No. 738-41-253.12. On November 29, 1960 the Trustees considered offer of the appraised price of \$400.00 per acre from H. H. Howell, riparian upland owner, for purchase of submerged land in Sarasota Bay and Perico Bayou in Sections 26, 27 and 34, Township 34 South, Range 16 East, containing a total of 74.8 acres, more or less, within the established bulkhead line and adjacent to uplands of applicant, Parcel 1 containing 74.75 acres in Sarasota Bay north of and adjacent to 1000-foot right of way of State Road 64; Parcel 2 containing 21.7 acres in Sarasota Bay south of and adjacent to said right of way; and Parcel 3 containing two parcels aggregating 18.15 acres in Perico Bayou, one north and one south of right of way 1000 feet wide for State Road 64. The land was advertised for objections only in The Bradenton Herald, proof of publication filed with the Trustees, and no protest to sale of this particular area was received.

Letter was received from Manatee County Conservation Alliance protesting submerged land sales and the bulkhead lines fixed in 1959 by the Board of County Commissioners of Manatee County, approved by the Trustees on June 21, 1960. Also, two wires from Gen. W. E. Crist, Chairman of Manatee County Commission, protested any sales of submerged lands pending further study and expert advice, but a third wire reported no objection to sale of one parcel.

The Director called attention to the fact that the Alliance actively participated in public hearing on the lines, had full knowledge of approval of the lines under Section 253.122(1), Florida Statutes, but did not take appeal from the approval as provided for in Section 253.122(5). In as much as no specific objection was made showing the sale to be adverse to public or private rights, and the character of the island and marginal area within the bulkhead line was such that sale and development did not appear to the Trustees' staff adverse to any rights, confirmation of the sale was recommended by the Director. James A. Howze, engineer representing the applicant, explained facts about the application and map of the area, and answered questions.

Commissioner Conner expressed wish for deferment until the new members of the Trustees had more information, and the Board on motion of Attorney General Ervin, seconded and adopted, deferred action for a week and referred the application, as well as the other two Manatee County applications on the day's agenda, to Mr. William R. Kidd for study and recommendation.

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MANATEE COUNTY - File No. 776-41-253.12. On November 22, 1960 the Trustees considered application by Manatee Fruit Company, abutting upland owner represented by James A. Howze, to purchase two tracts of submerged land in Sarasota Bay and Perico Bayou in Sections 22, 26 and 27, Township 34 South, Range 16 East, containing a total of 31.5 acres, more or less, within the established bulkhead line, which was appraised at \$400.00 per acre. The land was advertised for objections only in the Bradenton Herald, proof of publication was filed with the Trustees, and no protest to sale of this particular area was received.

Letter from Manatee County Conservation Alliance protested submerged land sales and bulkhead lines fixed in 1959 by the Board of County Commissioners of Manatee County, approved by the Trustees on June 21, 1960. Also, two wires from Gen. W. E. Crist, Chairman of Manatee County Commission, protested any sales of submerged lands pending further study and expert advice, but a third wire reported no objection to sale of one parcel.

The Director called attention to the fact that the Alliance actively participated in public hearing on the lines, had full knowledge of approval of the lines under Section 253.122(1), Florida Statutes, but did not take appeal under Section 253.122(5). Inasmuch as no specific objection was made showing the sale to be adverse to public or private rights, and the character of the island and marginal area within the bulkhead line was such that sale and development did not appear to the Trustees' staff adverse to any rights, confirmation of the sale was recommended by the Director.

The Trustees examined the plats submitted and discussed the matter. Deferment was suggested until the new members of the Board had more information.

Upon motion of Attorney General Ervin, seconded and adopted, the Trustees deferred action for a week and referred the application, and the other Manatee County applications on the day's agenda, to Mr. William R. Kidd for study and recommendation.

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MANATEE COUNTY - File No. 777-41-253.12. On November 29 the Trustees considered application by N-K Winston-Sanson Florida Corporation and Flamingo Cay, Inc., riparian upland owners, to purchase three parcels of submerged land appraised at \$400.00 per acre, in Sections 25 and 26, Township 34 South, Range 16 East, containing (a) 8 acres of submerged Perico Bayou lands within the established bulkhead line adjacent to upland of applicant N-K Winston-Sanson Florida Corporation in Section 26-34-16, and (b) 5.2 acres of submerged Perico Bayou lands and 4.2 acres of submerged Palma Sola Bay lands within the established bulkhead line adjacent to applicant, Flamingo Cay Inc.'s upland Government Lot 7 of Section 26-34-16. The land was advertised for objections only in The Bradenton Herald, proof of publication was



filed with the Trustees, and no protest to sale of this particular land was received.

Letter from Manatee County Conservation Alliance protested submerged land sales and bulkhead lines fixed in 1959 by the Board of County Commissioners of Manatee County, approved by the Trustees on June 21, 1960. Also, two wires from General W. E. Crist, Chairman of Manatee County Commission, protested any sales of submerged lands pending further study and expert advice, but a third wire reported no objection to sale of one parcel.

The Director called attention to the fact that the Alliance actively participated in public hearing on the lines, had full knowledge of approval of the lines under Section 253.122(1), Florida Statutes, but did not take appeal from the approval as provided for in Section 253.122(5). Inasmuch as no specific objection was made showing the sale to be adverse to public or private rights, and the character of the island and marginal area within the bulkhead line was such that sale and development did not appear to the Trustees' staff to be adverse to any rights, confirmation of the sale was recommended by the Director.

James A. Howze, engineer representing the applicant, explained that the application had met every provision of the law and the Trustees' regulations, that extensive development plans had been worked out over a two-year period, and that the developers were reluctant to continue planning if further delays were indicated.

The Trustees examined the plats submitted and discussed the matter. Deferment was suggested until the new members of the Board had more information.

Upon motion by Attorney General Ervin, seconded and adopted, the Trustees deferred action for a week and referred the application, and the other Manatee County applications on the day's agenda, to Mr. William B. Kidd for further study and recommendation.

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DUVAL COUNTY - File No. 772-16-253.12. On December 13, 1960, the Trustees confirmed sale of 44 acres of sovereignty land in Drummond Creek in Section 20, Township 1 South, Range 27 East, to Nell L. C. Bostwick, abutting upland owner, at an adjusted price of \$200.00 per acre subject to provision in the deed that if within five years any part of the land was needed for public uses (possibly airport expansion), the owner would sell at the price of \$200.00 per acre plus six percent.

Subsequently request was made on behalf of Mrs. Bostwick, the purchaser, that the deed clause allow the owner to be reimbursed for improvements which may be placed upon areas sold within the five-year period. William C. Bostwick explained difficulty in financing development of the area under the deed conditions proposed. He stated that airport was not expected to expand in that direction, and offered to secure statement from the City of Jacksonville.

Upon motion duly adopted, the Trustees referred the matter to William B. Kidd, Trustees' engineer, for investigation and recommendation at the next meeting.

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PALM BEACH COUNTY - File No. 709-50-253.12. On November 8 the Trustees deferred action on application of Samuel A. Manalan, abutting upland owner, for purchase of a 0.214 acre parcel of submerged land in Section 15, Township 43 South, Range 43 East, since the City of West Palm Beach objected by wire on that date.

The city withdrew objection to the sale, but requested that Trustees reserve to the city the south five feet of the parcel to be conveyed, for a drainage easement.

Upon motion duly adopted, the Trustees confirmed sale to Mr. Manalan at the appraised price of \$2150.00 for the parcel,

subject to provision in the deed for an easement for the use and benefit of the City of West Palm Beach over the south five feet of the parcel to be conveyed.

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APPLICATIONS TO PURCHASE LAND

CHARLOTTE COUNTY - File No. 785-08-253.12. Walter Van E. Roberts et al, the abutting upland owners, represented by Walter S. Hardin Realty Company, offered the appraised price of \$200.00 per acre for a tract of submerged land in Lemon Bay in Section 18, Township 41 South, Range 20 East, containing 32.48 acres within the established bulkhead line.

The Trustees examined the plat, and the Director explained that the area was needed for deposit of spoil material from dredging work by the West Coast Inland Navigation District, which would be preferable to the deposit of spoil islands in the bay.

Upon motion by Comptroller Green, seconded by Mr. Larson, and adopted, the Trustees authorized advertisement for objections only.

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CHARLOTTE COUNTY - File No. 788-08-253.12. W. E. Dunwody et al, as Trustee, the abutting upland owners represented by Walter S. Hardin Realty Company, offered the appraised price of \$200.00 per acre for four parcels of submerged land in Lemon Bay in Section 7, Township 41 South, Range 20 East, containing a total of 20.27 acres within the established bulkhead line.

The Trustees examined the plat, and the Director explained that the area was needed for deposit of spoil material from dredging work by the West Coast Inland Navigation District, which would be preferable to the deposit of spoil islands in the bay.

Upon motion by Comptroller Green, seconded by Mr. Larson and adopted, the Trustees authorized advertisement for objections only.

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CHARLOTTE COUNTY- File No. 796-08-253.12. W. E. Dunwody et al as Trustee, the abutting upland owners represented by Walter S. Hardin Realty Company, offered the established price of \$260.00 per acre for a parcel of submerged land in Lemon Bay in Section 6, Township 41 South, Range 20 East, containing 2.92 acres within the established bulkhead line.

The Trustees examined the plat, and the Director explained that the area was needed for deposit of spoil material from dredging work by the West Coast Inland Navigation District, which would be preferable to having spoil islands created in the bay.

Without objection, the Trustees authorized advertisement of the parcel for objections only.

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CHARLOTTE COUNTY- File No. 799-08-253.12. Florian V. O'Day, abutting upland owner represented by Wotitzky, Wotitzky and Conrad, offered the appraised price of \$250.00 per acre for a parcel of submerged land in Lemon Bay in Sections 7 and 18 of Township 41 South, Range 21 East, containing 46.9 acres.

The Trustees examined the plat submitted, and the Director explained that the area would be used for deposit of spoil material from dredging work by the West Coast Inland Navigation District, which would be preferable to having spoil islands created in the bay. Also, he recommended reduction of the area, to be worked out by the staff.

Without objection, the Trustees authorized advertisement of the parcel and directed that sale, if made, would be subject to adjustment of the area as recommended by the Director.

1-10-61

MONROE COUNTY - File No. 778-44-253.12. W. Harrison Terry, abutting upland owner represented by M. Ignatius Lester, offered the established price of \$1000.00 per acre for a parcel of submerged land in the Bay of Florida abutting upland lots on the Island of Key West, containing 0.83 of an acre.

Governor Bryant asked for information on sales in Monroe County, which was excluded from provisions of the Bulkhead Act. The Director explained that the staff checked applications, with assistance of engineers from the county, that current sales were plotted on large scale maps showing past sales, that most sales in the county were comparatively small parcels. The members advised the Governor that procedures used by the staff for Monroe County sales had worked out very well.

Without objection, action on the application was deferred to allow new members to secure further information.

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OKALOOSA COUNTY - File No. 620-46-253.12. W. B. Spence et al, abutting upland owners represented by Lloyd C. Powell, offered the appraised price of \$50.00 per acre for a parcel of sovereignty land in Boggy Bayou in Section 1, Township 1 South, Range 23 West, containing 6.32 acres.

On the plat it was noted that applicant's upland property was between the state road right of way and the submerged land, and the Director explained that the State Road Department, Board of Conservation, U. S. Engineers and riparian owners within one thousand feet were notified of proposed sales and given opportunity to object.

Without objection, the Trustees authorized advertisement of the parcel for objections only.

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PALM BEACH COUNTY - File No. 801-50-253.12. The City of West Palm Beach, represented by Brockway, Weber and Brockway and J. Lewis Hall, Jr., attorney, applied for (a) disclaimer under Section 253.129 Florida Statutes, to an area in West Palm Beach in Section 22, Township 43 South, Range 43 East, containing 3.381 acres, and (b) deed to those submerged lands in Lake Worth in Section 22, Township 43 South, Range 43 East, lying easterly of and abutting parcel in (a), containing 17.118 acres desired for public purposes only, subject to advertising for objections only.

Mr. Hall and Mayor Percy Hopkins pointed out the cove area on the plat and explained the city's plans for straightening of Flagler Drive, construction of an auditorium and parking lot, and stated that funds for the project were raised by bond issue, which had been approved by referendum. Mr. Hopkins stated that there had been no objections, and urged the Trustees to grant the city's request.

Upon motion by Treasurer Larson, duly adopted, the Trustees authorized issuance of disclaimer for the handling charge of \$10.00, and authorized advertisement of the 17.118 acre parcel for objections only, deed to contain public purpose clause.

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#### MISCELLANEOUS

APPRAISALS- In connection with sales and applications considered on this date, Governor Bryant asked for information on the method used to determine value of state lands. The Director explained that appraisals were purchased from registered appraisers when available in the county in which the land was located, and that several factors should be considered in fixing values.



The Trustees indicated that full appraisals should be available, with the size of the parcel having some bearing, that minimum standards should be set up for guidance of the appraisers to furnish the information and details needed by the Board to consider applications for sale of state lands.

Upon motion by Comptroller Green, duly adopted, the Trustees instructed the Director and William R. Kidd, engineer, to work up minimum appraisal standards for approval of the Board.

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STATE DRILLING LEASE NO. 224-A - (Modified Feb. 27, 1947). For the record, the Trustees approved the declaration of 1280 acres (2-section equivalent) in the Gulf of Mexico to which well recently commenced should apply, in accordance with requirement of Section 253.55(3) Florida Statutes. The designation was made by The California Company, which was drilling the well under agreement with Coastal Petroleum Company, lessee.

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STATE DRILLING LEASE NO. 833 - For the record, the Trustees approved the declaration of 1280 acres (2-section equivalent) in the leased area in Escambia Bay to which the well commenced on or before December 29, 1960 should apply, in accordance with requirement of Section 253.55(3) Florida Statutes. The designation was made by Commonwealth Oil Company, the lessee, and Emmette F. Gathright.

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COLLIER COUNTY - Robert A. Wohl requested extension to July 1, 1961 for last payment of \$231.21 due November 7, 1960 under purchase contract No. 21196 covering 80 acres in Collier County sold in 1956 to Mrs. Helen Shotkin, deceased, explanation for request being that the 60-day grace period provided in the contract with penalty of one per cent expired January 7, 1961, and there was need to probate the will and have an executor or ancillary representative qualify to receive title when deed issued.

Without objection, the Trustees granted extension to July 1, 1961 with penalty interest at one per cent per month on the unpaid balance.

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LEE COUNTY - Easement. Without objection, the Trustees approved issuance of temporary easement to expire February 1, 1965, to the State Road Department for a dredging area of 14.58 acres, more or less, in Estero Bay in the S $\frac{1}{2}$  of Section 24, Township 47 South, Range 24 East needed to dredge, pump and excavate material for construction of a portion of State Road S-865 which was destroyed by Hurricane Donna.

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MARTIN COUNTY - Dedication. Upon motion by Treasurer Larson, duly adopted, the Trustees approved dedication of a strip of submerged land one hundred feet in total width across the northwest fork of the Loxahatchee River in Section 22, Township 40 South, Range 42 East, applied for by Board of County Commissioners of Martin County By Resolution dated December 13, 1960, for the construction of a bridge.

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CHARLOTTE COUNTY - Permit. Referred to the Trustees for formal approval was fill permit issued by the Board of County Commissioners of Charlotte County on December 20, 1960 to John A. Stanford to fill a sovereignty area in Sections 1 and 12 of Township 41 South, Range 19 East, previously conveyed by the Trustees in Deed Nos. 19552A and 20688.

The small plat examined by the Board did not clearly show the acreage involved, and Treasurer Larson asked that further information be made available.

Upon motion duly adopted, the Trustees deferred action on the fill permit.

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COLLIER COUNTY - Permit. The City of Naples applied for state permit to reconstruct a city pier at the end of Twelfth Avenue extending over 900 feet into the Gulf of Mexico. Objections filed by Mr. and Mrs. Charles B. Price, adjacent waterfront owners, on the ground that the old pier location was no longer well suited, were withdrawn by letter dated January 7, 1961.

Comptroller Green suggested that the Trustees grant the request of the city as to location of the pier.

Upon motion duly adopted, the Trustees authorized issuance of state permit for the dock or pier requested by the City of Naples, for the standard processing fee of \$100.00.

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DADE COUNTY - The Director recommended issuance of state permit to "5055 Collins Avenue Corporation" for construction of two groins extending from applicant's upland Lots 10, 11 and S $\frac{1}{2}$  of Lot 12 in First Ocean Front Subdivision, in accordance with report and recommendation of Coastal Engineering Laboratory which would be incorporated into the permit. It was pointed out that seawall originally contemplated was not included, and bond would be waived because of plans of the city for beach nourishment.

The Director stated that the groins would hinder somewhat the public walking on the beach, but that the standard coastal structures permit form required permittee to comply with local laws and regulations.

For the applicant, Milton Lipkins explained that no filling was involved, the groins and plans were approved for the area by Miami Beach City Engineer Morris Lipp, and that U. S. Engineers' approval was pending clearance with the Trustees.

Upon motion duly adopted, the Trustees authorized issuance of state permit for construction of the two groins in accordance with Coastal Engineering Laboratory report, for standard fee of \$100.00, and bond waived.

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ESCAMBIA COUNTY - Permit. John C. Pace applied for state permit to install four adjustable groins at his property on Pensacola Bay, Lots 1, 2 and 3 of Subdivision of Lot 4, Navy Driving Park Association, to arrest erosion and stabilize the beach in accordance with Coastal Engineering Laboratory report dated January 5, 1961 which recommended surety bond of \$1200.00 to guarantee adjustment if required.

Without objection, the Trustees authorized issuance of state permit for construction of the four groins in accordance with Coastal Laboratory report, for standard fee of \$100.00 and requirement of surety bond of \$1200.00.

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PINELLAS COUNTY - Permit. Referred to the Trustees for formal approval was Fill Permit No. BDF103 issued by the Pinellas County Water and Navigation Control Authority on July 25, 1960, to Victor Sellers to fill land previously conveyed by Trustees in Deed Nos. 19828 and 19828A. The Director advised that action was deferred on August 23, 1960 for further study of bulkhead line which was formally approved by Trustees on December 20.

Upon motion by Comptroller Green, duly adopted, the Trustees formally approved the fill permit as issued by Pinellas County Water and Navigation Control Authority to Mr. Sellers.

PINELLAS COUNTY - Permits. The Director recommended issuance of state permits for commercial dock and marina for which Pinellas County permits have been issued to the following applicants:

- (1) Clarwood, Inc., County Permit No. 1840 for dock at applicant's property in Government Lot 3 of Section 30, Township 30 South, Range 15 East;
- (2) Snell Isle Yacht Basin, County Permit No. 1841 for dock at applicant's property in Brightwater Snell Isle Center, St. Petersburg, Florida.

Upon motion by Mr. Larson, duly adopted, the Trustees authorized issuance of the two commercial dock permits for the standard processing fee of \$100.00 each.

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POLK COUNTY - The Director recommended issuance of fill permits applied for by the following upland owners to remove from the lake bottoms riparian to their properties fill material to repair storm damage and otherwise improve the applicants' uplands, the State Game and Fresh Water Fish Commission having approved dredging in Crooked Lake and Lake Reedy in Polk County.

- (1) Crooked Lake. Application by Sprott Groves, Inc., for 500 cubic yards of material from lake bottom in front of the West 102.4 feet of Lot 4, Block 40, revised plat of Crooked Lake Subdivision, for \$25.00, based on standard charges.
- (2) Crooked Lake. Application by Robert F. Puterbaugh for 300 to 350 cubic yards of material from lake bottom in front of upland property described as West Shore of Cody Cove, or Crooked Lake Harbour, U. S. Lot 7 in Section 6, Township 31 South, Range 28 East, for \$25.00.
- (3) Lake Reedy. Application by Mrs. Frank J. Horn for 400 cubic yards of material from lake bottom in front of Lots 8 and 9 of North Reedy Shore Subdivision, for \$25.00.
- (4) Lake Reedy. Application by Jonas B. Squire for 400 cubic yards of material from the lake bottom in front of Lot 5 W $\frac{1}{2}$  and E 25 ft. of Lot 6, North Reedy Shore Subdivision, for \$25.00.

The Director explained that filling of the lake bottoms was not authorized, applications covering only use of relatively small amounts of sand from the bottoms to place on upland property, and that the Game and Fresh Water Fish Commission checked on such applications to prevent damage to lakes.

Governor Bryant suggested that it would be a good policy that applicants and dredgers be advised that the Trustees' engineer would make field checks of such operations, to prevent excessive dredging or damage to fresh water lakes.

Upon motion by Mr. Larson, duly adopted, the Trustees approved issuance of permits to the four applicants for the amounts of lake fill material applied for, at the minimum charge of \$25.00 each.

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TRUSTEES' PERSONNEL - The Director requested authorization for employment of Miss Patsy Stafford as Records Clerk, full time, with thirty-day probation period at \$260.00 per month, and at the end of satisfactory probation, at \$280.00 per month.

Without objection, the Trustees authorized the employment of Miss Stafford for full time work in the Trustees' office and approved the salary suggested for probation period of one month beginning immediately, and thereafter, \$280.00 per month as recommended by the Director.



TRUSTEES' OFFICE - (1) Without objection, the Trustees authorized purchase of one standard electric IBM typewriter for use in the Trustees' office, subject to clearing with the State Purchasing Council.

(2) The Director reported that of the four bids submitted for printing letterheads, only the high bid complied with specifications.

Upon motion by Mr. Green, duly adopted, the Trustees rejected all bids and authorized the Director to take new bids for the printing.


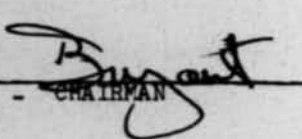
HURRICANE DAMAGE STUDY REPORT - The Director requested instruction on number and distribution of "Florida Hurricane Report" prepared by the Florida Hurricane Study Committee and presented to the Board on December 13, 1960, which contained information of value to engineers, architects, insurance companies, and others interested in protection of private and state property from future hurricane damage.

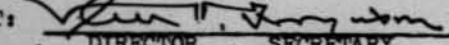
The Trustees referred the matter to the Director and gave him authority to take bids for printing the booklets, subject to requirements of the State Purchasing Council.

SUBJECTS UNDER CHAPTER 18296

Upon motion duly adopted, the Trustees approved Bidding Report No. 775 listing 8 regular bids for purchase of Murphy Act land, and authorized issuance of deeds pertaining thereto.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR -   
CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
January 17, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture
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	Van H. Ferguson	Director

Without objection, the Trustees approved the minutes of the meeting of January 10, 1961, which were approved by the Attorney General and copies presented to all members.

#### LAND SALES FOR FURTHER CONSIDERATION

MANATEE COUNTY - File Nos. 738, 776 and 777-41-253.12. Deferred from the meeting of January 10 for further consideration on this date were the following applications by riparian upland owners to purchase submerged lands within the established bulkhead lines, which had been duly advertised for objections only.

File No. 777-41-253.12. N-K Winston-Sanson Florida Corporation and Flamingo Cay, Inc, riparian upland owners, offered the appraised price of \$400.00 per acre for 17.4 acres of submerged land within the established bulkhead lines. (a) The Winston-Sanson firm applied for 8 acres of submerged Perico Bayou lands adjacent to their uplands in Section 26, Township 34 South, Range 16 East. (b) Flamingo Cay, Inc., which had purchased uplands from the Winston-Sanson firm after the original application was filed, applied for 5.2 acres of submerged Perico Bayou lands and 4.2 acres of submerged Palma Sola Bay lands adjacent to its upland Government Lot 7 of Section 6, Township 34 South, Range 16 East, each parcel abutting right of way of State Road 64 (1000 feet wide on submerged land).

The Board of County Commissioners of Manatee County had recommended sale of the submerged land under File No. 777, and it was explained that the two hold-over members of that board, H. C. Slaughter and Elmer Bussell approved the bulkhead line and all three sales under consideration, and the three newly elected board members, Chairman W. E. Crist, Earl A. Bibey and Irwin Klemmer, reaffirmed approval of only the Winston-Sanson and Flamingo Cay sales, having objections to and requesting that the Trustees postpone action on Files 738 and 776.

File No. 738-41-253.12. - H. H. Howell, riparian upland owner represented by James A. Howze, offered the appraised price of \$400.00 per acre for 74.75 acres of submerged land within the Perico Island bulkhead line adjacent to uplands of applicant in Sections 27, 34, 26 and 35 of Township 34 South, Range 16 East, consisting of (1) 34.9 acres in Sarasota Bay north of and adjacent to 1000-foot right of way of State Road 64, (2) 21.7 acres in Sarasota Bay south of and adjacent to said right of way, and (3) two parcels aggregating 18.15 acres in Perico Bayou, one north and one south of right of way 1000 feet wide for State Road 64.

File No. 776-41-253.12. - Manatee Fruit Company, riparian upland owner represented by James A. Howze, offered the appraised price of \$400.00 per acre for two tracts of submerged land in Sarasota Bay and Perico Bayou in Sections 22, 26 and 27 of Township 34 South, Range 16 East, containing a total of 31.5 acres within the established bulkhead line.

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The sales identified under Files 738 and 776 were recommended by the former Manatee County Board for approval by the Trustees, but objections were presented on this date from Commissioners Crist, Bibey and Klemmer, the new County Planning Director Vines, Col. Bert N. Bryan, representing the Manatee County Conservation Alliance, telegram from Manatee County Civic Association, and letter from Mrs. J. F. Coleman. The general tenor of the objections indicated protest not only to sale of the submerged lands but also to the established bulkhead lines on the basis of possible damage to marine growth, fishing, view, the appropriation of public water areas for private development and dredging for fill material, and it was stated that strongest protest was to sale and dredging of areas in Sarasota Pass or Bay. It was brought out that the State Board of Conservation had not been called upon for a report on this particular area, and the Trustees were asked to postpone decision for thirty days to allow the new County Commissioners and Planner, the Conservation Department, William R. Kidd, Trustees' engineer, and the staff to secure further information and reports, to enable the Trustees to re-evaluate the matter of public and private interests in the area. Mr. Bibey stated that the county had had no opportunity to study the development plans proposed for the areas.

Since it was indicated that many local citizens objected to the bulkhead line, but that no appeal had been taken as provided for in Section 253.122 (5), the Trustees discussed the matter fully and examined plats submitted by the applicants for purchase within the bulkhead lines. Treasurer Larson referred to excerpts from the Trustees' minutes in explaining how the Board had followed the law, at all times had given opportunity for those interested to be heard, and after much consideration had approved the bulkhead line as recommended by the Manatee County Commission. Comptroller Green stated that the Trustees had no formal objections on the bulkhead line, that he would not be in favor of bringing up the matter of changing the bulkhead line established after careful study and hearings except in the manner provided by law under Section 253.122(5), and that before the Trustees at this time was sale of the submerged land.

Attorney General Ervin stated that approval of the bulkhead line indicated to possible purchasers that within that line they could probably purchase from the Trustees and fill, subject to local approval and issuance of fill permits to be formally approved by the Trustees; that because of the strong objections to the bulkhead line he had not favored approval of it; that local feeling was so intense that it had probably entered into the recent political campaign; that in view of the protests of the present County Commissioners, representing the voice of the people, he felt that re-examination of the bulkhead line and postponement of the proposed sales were in order, and that he had thought Mr. Kidd would be able to confer with the county and advise the Trustees.

Mr. Kidd reported that his conference with county officials had not clarified their specific reasons for objections, and he suggested a study of the county bulkhead line to determine whether the portion under consideration was in conformity with the master plan of the county and the character of the area.

Mr. Howze stated that the applications had been worked out carefully, reduced from original size, that all information requested had been furnished and approval recommended by the former County Board of Commissioners, and he disclosed plans by a large company for construction of a marina and other resort facilities which would be an asset to the locality and residents of the county as well as a tourist attraction.

Governor Bryant expressed the opinion that there would seldom be unanimity in matters of this kind, that he would be opposed to re-establishment of bulkhead line since no specific reasons had been given for upsetting the bulkhead line established by duly constituted authority and no appeal having been taken under the



law, that the rights of citizens objecting to sales would be carefully observed but that the burden was on objectors to show specific objections, and that he would like a general study made in this area and in others where fills were prevalent, from a conservation standpoint.

Upon motion by Mr. Ervin, seconded by Mr. Larson and adopted, the Trustees confirmed sale of the submerged land in File No. 777-41-253.12 to the applicants, N-K Winston-Sanson Florida Corporation and Flamingo Cay, Inc., for the appraised price of \$400.00 per acre.

As to Application Files 738 and 776-41-253.12, motion was made by Mr. Ervin, and duly adopted, that in view of the objections from three newly elected County Commissioners, the Trustees postpone action on the two sales for a thirty-day period in which time the State Board of Conservation would be requested to examine the area of proposed sales and report to the Board, and also Mr. Kidd and the staff would make further study from the standpoint of the master bulkhead line plan of Manatee County and recommendations of the County Planner.

#### APPLICATION TO PURCHASE

MONROE COUNTY - File No. 797-44-253.12. G. B. Holroyd, riparian upland owner, offered the established price of \$300.00 per acre for purchase of a parcel of submerged land in Pine Channel in Section 34, Township 66 South, Range 29 East, 0.95 acre, Big Pine Key. The Trustees examined a map prepared by the staff showing the application, sales previously made, and the area-bulkhead line to which the sale conformed.

Upon motion by Mr. Larson, adopted without objection, the Trustees authorized advertisement for objections only, based on the applicant's offer.

#### MISCELLANEOUS

BREVARD COUNTY- Permit. The District Engineer, U. S. Corps of Engineers at Jacksonville, Florida, requested permission to remove 1,500,000 cubic yards of fill material from open waters of the Banana River in Township 22 South, Range 37 East, Brevard County, for use in connection with the construction of planned missile launching facilities on the Canaveral Missile Center.

Upon motion by Mr. Green, adopted without objection, the Trustees granted authority to the U. S. Corps of Engineers for the dredging requested.

CHARLOTTE COUNTY- Permit. Deferred from January 10th was request for formal approval of Fill Permit issued by the Board of County Commissioners of Charlotte County on December 20, 1960 to John A. Stanford, to fill sovereignty area in Sections 1 and 12 of Township 41 South, Range 19 East, formerly conveyed in Trustees' Deeds 19552A and 20688. The total area conveyed by the two deeds was 78.72 acres, but development plan submitted with the U. S. Corps of Engineers application for fill permit showed approximately twenty-five per cent of the area would remain as public waters.

Without objection, the Trustees formally approved the fill permit as issued by Charlotte County to John A. Stanford.

BROWARD COUNTY - Lease. On December 31, 1960 the City of Hallandale advised the Attorney General regarding unauthorized salvage operations in the ocean a short distance offshore, and seven state-owned relics were being held by the city for inspection by Florida State Museum and disposition by the Trustees. By Resolution No. 589 adopted Jan. 10, 1961, (received January 13) the City applied for at least two of the old cannon for public display, and requested

authority to explore and salvage periodically and share with the state any items of value recovered.

Also, on January 13 application was received from David M. Bellack, et al, for 2-year non-exclusive salvage lease of one square mile in the zone in front of city upland, lease of one acre in the square mile to be exclusive, for working a submerged wreck, and rental of \$100.00 for first year was tendered.

The Director recommended that the lease be authorized, with requirement of \$500.00 performance bond; that the city's request for two or more cannon salvaged December 31 without authority be deferred until report of the Florida State Museum was received and that then such items not requested for the Museum might be given to the city on condition that they be preserved as recommended by the Museum and publicly displayed.

Without objection, the Trustees authorized issuance of treasure salvage lease to Mr. Bellack for the area specified at \$100.00 yearly rental and \$500.00 performance bond and under usual terms of such state leases; also, the Board viewed favorably the proposal that the City of Hallandale share in some of the relics recovered by unauthorized operations in December, subject to recommendation of the Florida State Museum, and that in the event the city did not receive any of said items that it be allowed to receive for public display a portion of the State's share (25%) of the items recovered under the lease to Mr. Bellack. Also, the Trustees expressed approval for solicitation by the city of the Museum's aid in tracing history of the wrecked ship for the use by the city in erecting markers.

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INDIAN RIVER COUNTY - Lease. C. L. Wagner of Sebastian, Florida, on behalf of Real Eight Salvage Company applied for three-year salvage lease of the zone beyond 500 feet offshore in the Atlantic Ocean to the three-mile territorial boundary, from Sebastian Inlet south 12 miles, and exclusive rights to salvage in two one-acre units in the proposed lease area. It was reported that unauthorized persons had been destroying old sunken wrecks without regard to possible historic and scientific value. The Director advised that under current leases, the use of explosives was prohibited, quarterly reports and payment of 25% royalty were required in addition to \$100.00 yearly rental, and that Trustees had right to require payment of royalty on the basis of cash value, in cash or in salvaged items.

Without objection, the Trustees authorized issuance of treasure salvage lease to Mr. Wagner for the area specified at \$100.00 yearly rental with requirement of \$500.00 performance bond, with provision in the lease to allow lessee to hold all salvaged relics for evaluation and division as recommended by Florida State Museum; also, the Trustees authorized that Mr. Wagner be requested to notify unauthorized operators concerning violations and to request the sheriff to act, or to notify Trustees' office.

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FLAGLER COUNTY - Permit. The Director presented request of the Town of Flagler Beach for State Permit to reconstruct its municipal pier originally extending about 720 feet into the Atlantic Ocean, the outer 80 feet of which was destroyed by Hurricane Donna. An extension of 192 feet was proposed in connection with the repair, and the city tendered the \$100.00 permit processing fee.

Without objection, the Trustees authorized issuance of State Permit to the Town of Flagler Beach for the proposed pier extension, for the standard \$100.00 fee.

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LEE COUNTY - Disclaimer. The City of Fort Myers, by its attorney, W. L. Stewart, requested disclaimer of two contiguous areas of filled lands in Caloosahatchee River in Fort Myers purchased by the city from Atlantic Coast Line Railroad

Company and Sanders Oil Company, Inc., respectively, and also an unfilled submerged parcel between the Sanders parcel and the established bulkhead line. The railroad parcel, reported by the city to have been filled about 1913, would not be included in the grant of all state lands within the city by Chapter 6962, Acts of 1915. This filling antedated passage of the 1921 Butler Act (Section 271.01, now repealed) by which areas filled as extension of private upland would legally vest in the riparian upland owner, and title to the area so filled in 1913 may have remained vested in the state; if not, then in the riparian owner.

The Sanders parcel was reported to have been filled prior to 1957. If filled subsequent to passage of Chapter 26776 of 1951 title would appear to remain in the city by the 1915 grant, but if filled prior to 1951 ownership would appear to have vested in the riparian owner under the Butler Act notwithstanding the 1915 grant which did not appear to have extinguished riparian rights and which Act substituted the city in the position of the state in relation to Butler Act fills. The unfilled parcel in the request of the City of Fort Myers appears clearly vested in the city under the 1915 Act.

Inasmuch as neither the state nor the Trustees were found to have any title or interest in the areas in question, the Director recommended issuance of an ex parte disclaimer in the names of the state and the Trustees.

Upon motion by Mr. Larson, duly adopted, the Trustees authorized issuance of disclaimer of all the areas in question as recommended by the Director.

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PINELLAS COUNTY - Easement: dedication. The West Coast Inland Navigation District reported completion of the work of preparing revised descriptions for rights of way of the Intracoastal Waterway through Pinellas County. The District proposed to reconvey to the Trustees all rights of way originally granted, in exchange for new easement incorporating the revised description, said revised description including as exceptions all areas formerly conveyed by the Trustees into private ownership.

The Director recommended acceptance of the deed of reconveyance and issuance of new easement; also, he recommended issuance of instrument dedicating to the United States the perpetual spoil easements for the waterway construction.

Upon motion by Mr. Larson, seconded by Mr. Green, the recommendations of the Director were approved as the action of the Trustees.

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POLK COUNTY - Permits. The Director recommended issuance of fill permits applied for by two upland owners to remove from the bottoms of Crooked Lake in Polk County, riparian to their properties, fill material to repair storm damage and otherwise improve the applicants' uplands, the State Game and Fresh Water Fish Commission having approved dredging in this lake.

- (1) Crooked Lake. Application by Earl M. Hatton for 1000 cubic yards of material from lake bottom in front of property in the NE $\frac{1}{4}$  of Section 35, Township 30 South, Range 27 East, at Crescent Beach Subdivision, for \$50.00, based on standard charge of 5¢ per cubic yard.
- (2) Crooked Lake. Application by Citrus Oil Company of Florida for 1350 cubic yards of material from lake bottom in front of Lots 3 and 4, Block 56 of Crooked Lake Subdivision in Section 25, Township 30 South, Range 27 East, for \$67.50.



Upon motion by Mr. Green, duly adopted, the Trustees approved issuance of permits to the two applicants for the amounts of lake fill material applied for based on the standard charges.

ST. LUCIE COUNTY - File No. 449-56-253.12. Marina At Fort Pierce, Inc., reconveyed to Trustees by the original description 0.03 acre, more or less, of submerged land in the City of Fort Pierce in Section 3, Township 35 South, Range 40 East, which had been conveyed by Trustees Deed 22539 (449-56) dated January 8, 1960 to Florida Land Improvement and Development Co., Inc., predecessor in title to the Marina firm. A precise survey recently completed for the present title holder showed a very slight variation which changed the over-all area of the parcel from 0.03 to 0.036 of an acre, and the Marina At Fort Pierce, Inc., requested a new deed incorporating the revised description.

Without objection, the Trustees authorized acceptance of the deed of reconveyance and issuance of new deed to Marina At Fort Pierce, Inc, with revised description for a handling charge of \$10.00, subject to the applicant assuming responsibility for the recording fees.

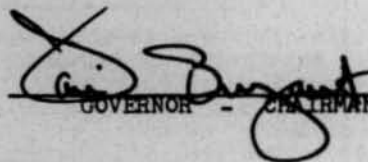
VOLUSIA COUNTY - Contracts. Venezia A, Venezia B and Venezia C Corporations, represented by Thomas T. Cobb, requested 90-day extension of time for payment of the seventh installments on each of the three purchase contracts held by the corporation. The Director reported that more than one-half of the total sum due as of May 1, 1962 had been paid on each of the contracts which aggregated \$86,783.22, and that the seventh installments became due November 1 with a sixty-day grace period with penalty of 1% per month.

Upon motion by Mr. Green, adopted without objection, the Trustees granted ninety-day extension in time for the seventh payments on the three contracts, effective January 1, 1961 which was the end of the grace period, with requirement of the penalty payment of 1% per month to continue for the ninety-day period.

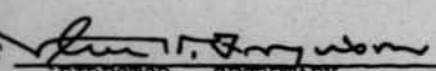
#### SUBJECTS UNDER CHAPTER 18296

BIDDING REPORT - Upon motion duly adopted, the Trustees approved Bidding Report No. 776 listing 1 regular bid for sale of Murphy Act land, and authorized issuance of deed pertaining thereto.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST

  
DIRECTOR - SECRETARY

Tallahassee, Florida  
January 24, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office at the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

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Van H. Ferguson	Director-Secretary
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Without objection, the Trustees approved the minutes of the meeting on January 17, 1961, which had been approved by the Attorney General and copies presented to each member.

#### APPLICATIONS TO PURCHASE LAND

BAY COUNTY - File No. 795-03-253.12. T. Y. Bingham, et al, the abutting upland owners, applied to purchase a tract of submerged land in Sections 7, 8, 17 and 18 of Township 3 South, Range 14 West, aggregating 164.3 acres, within the established bulkhead line. Appraisal of \$5.00 per acre was considered low and the Director recommended that price be established at \$25.00 per acre, pointing out that filling would be relatively inexpensive in the shallow submerged area which was north of Panama City and west of Lynn Haven.

Mr. Bingham described the application area as being adjacent to 300 acres of swampy upland ownership, stated that applicants desired to acquire enough acreage to interest developers in coming into the area, but that no improvement plans had been prepared. He offered to raise the price to \$10.00 per acre.

The Trustees expressed the opinion that since the application was speculative in nature the State should hold the area, that sale could be made only to the riparian upland owner, that the offer made appeared insufficient, and that the Board would like applicant to bring in for study improvement plans for use of the area.

Upon motion by Commissioner Conner, seconded by Mr. Larson, the Trustees agreed to hold open for ninety days the offer to sell for \$25.00 per acre, and authorized advertisement of the land for objections only provided applicant accepted that price for purchase.

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DADE COUNTY - File No. 805-13-253.12. Donald Y. Baxter, abutting upland owner represented by Leon L. Stoller, offered the appraised price of \$4350.00 per acre for a parcel of submerged land in Biscayne Bay southerly of uplands in Section 40, Township 54 South, Range 41 East, in the City of Miami, containing 2.03 acres within the established bulkhead line.

Upon motion by Mr. Larson, adopted without objection, the Trustees authorized advertisement for objections only.

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DADE COUNTY - File No. 811-13-253.12. Charles F. Harvey and Helen A. Arnold, abutting upland owners represented by Starr W. Horton, made application for purchase of a tract of sovereignty land in Biscayne Bay in Sections 22 and 23, Township 56 South, Range 40 East, containing 228.52 acres within the established bulkhead line. On December 20, 1960, the Trustees considered

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the information regarding sale processed in July 1956 of practically this same area, that protest was made, litigation ensued and was not yet dismissed. The 1956 appraised price was deemed applicable upon submission of application under the bulkhead act, with 80% of the acreage at \$275.00 per acre and 20% at \$200.00 per acre.

The Director advised that the current application was based on an agreement between the litigating parties for dismissal of the suit as suggested by the Attorney General's Office, and subject to Mr. Harvey accounting and paying Trustees for material taken beyond the approved volume authorized under U. S. Engineers permit. He explained that application did not cover the area out to the bulkhead line, and that any sale of the additional area out to the bulkhead line should be based on current appraised price.

Attorney General Ervin stated that the sale confirmed in 1956 had been held in abeyance because of litigation between the parties, and he knew of no objection to carrying out the recommendations of the staff.

Upon motion by Mr. Larson, adopted without objection, the Trustees authorized sale on the basis of \$275.00 per acre for 80% of the total and \$200.00 per acre for 20% of total, subject to advertisement for objections only and subject to dismissal of the litigation and settlement by Mr. Harvey with the Trustees for the rock material excavated beyond the authorized limits of the U. S. permit.

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#### MISCELLANEOUS

DADE COUNTY- At the request of Attorney General Ervin, there was brought up for discussion certain recommendations of the Dade Metro Commission and County Planning Advisory Board concerning needs for recreation and other public areas in the Keys in Biscayne Bay South of Key Biscayne.

Assistant Attorney General Robert C. Parker reviewed action of the Trustees and Dade County in connection with consideration of sales of submerged lands and plans for designation of areas suitable for public purposes, reading excerpts from Resolution adopted by the County on March 8, 1960, the Resolution of the Trustees in the minutes of March 22, 1960, and from a report to Dade County Commission from Metropolitan Dade County Planning Advisory Board prepared by the Metro Planning Department dated November 18, 1960. It was expressed in a conference Mr. Parker had with County Attorney Darrey Davis that Dade County's primary concern was to try to work out a program whereby owners could make submerged land purchases within the established bulkhead lines, with designated portions of the areas reserved for public purposes, and it had been suggested by Mr. Davis that the Trustees select a committee to work with the county to explore all phases of the subject.

There was discussion by the Trustees of the location and lack of accessibility of the keys in lower Biscayne Bay, the expense of filling to desired heights and apparent difficulties to upland owners from whom public areas might be required to be contributed, and that further study of the subject should be made in view of possible precedent being established as to counties requiring donations of area for public uses from riparian owners processing applications to purchase submerged land.

Upon motion by Mr. Ervin, adopted without objection, a committee appointed by Governor Bryant, composed of William R. Kidd, Engineer, and Robert C. Parker, Assistant Attorney General, was authorized by the Trustees to negotiate with the Dade Metro Government, as suggested by the County Attorney, to try to work out a solution to the problem of coordinating needs for public reservations with the development plans of private owners within the bulkhead lines.



DADE COUNTY - The State Road Department requested dedication for public highway purposes for right of way for State Road No. 27 across certain lands, title to which was in Trustees of Internal Improvement Fund, in Hiatus Lot 1 Between Township 53 South, Range 38 East, and Township 54 South, Range 38 East, and also over lands in Sections 12, 24 and 36 in Township 53 South, Range 38 East, and Section 17 in Township 52 South, Range 39 East.

Without objection, the Trustees approved dedication of the land requested by the State Road Department for highway purposes.

BREVARD COUNTY - Walter F. Nowak, for himself and Dr. Joseph S. Tumiel and wife, applied for deed covering (1) 14.94 acres of Picnic Island in Section 5, Township 33 South, Range 37 East situate beyond the 1860 U. S. Survey meander of the island, (2) 1.65 acres in Southeast corner of Section 5, Township 22 South, Range 37 East situate beyond the 1860 meander; and (3) 28.76 acres now submerged along and landward of the U. S. meander of Government Lots 5, 6 and 7 of Section 5 and Government Lot 5 of Section 6 of Township 22 South, Range 37 East.

The staff found no indication that the 14.94 acres and the 1.65 acres of upland did not exist in 1845 and at the time of the 1860 survey. The area was low and generally marshy and the shore there, as in similar areas elsewhere, was not always traversed along actual line of mean high water, the meander being run as a practical line to separate swamp and overflow land from the public waters and for computation of areas for issuance of patents.

The third parcel (28.76 acres) included submerged lands beyond the bulkhead line and since no evidence was found that land formerly existed and was removed by avulsion or artificial cause, deed or disclaimer was not recommended by the staff as to the submerged parcel.

The Director recommended issuance of ex parte disclaimer covering the 14.94 acre and 1.65 acre parcels which the staff felt justified in construing as vesting in the owners of the adjacent government lots to which they attached.

Without objection, the Trustees approved the recommendations of the staff and authorized issuance of ex parte disclaimer for a handling charge of \$25.00 covering only parcels 1 and 2.

FRANKLIN COUNTY- Because of illness of his client, Attorney Howard Williams asked for deferment of hearing concerning an erosion problem charged to dredging operations in the waters of Ochlockonee Bay in Franklin County near Virgil Allen's upland on Mashles Island in Wakulla County. Dredging Permit No. 1221 issued December 11, 1958 to Snow Beaches, Inc., and Joe Priest with restriction against any dredging of oyster bars, was involved.

Without objection, the Trustees deferred consideration until a later meeting.

GLADES COUNTY - Wendell Click, holder of Grazing Lease No. 1240 covering 180 acres in Sections 22 and 23 of Township 40 South, Range 32 East, requested permission to construct small dikes on the leased area along the westerly right of way of Levee L-50, soon to be constructed. The lease, in good standing and expiring by its own terms January 31, 1964, contained no specific authorization for or prohibition of diking, and applicant stated that diking would be necessary for use of the land after the levee construction was under way.

The Director recommended authorization of the diking on leased area by a formal instrument including covenants (1) that in the event of adverse effects upon adjacent properties arising out of the construction and maintenance of the dikes, lease holder would immediately correct the cause, (2) that the lease holder would save the Trustees harmless from all damages and claims arising

out of the dike construction, and (3) that excavation for dike material within the levee right of way would be done only under permission in writing from Central and Southern Florida Flood Control District and subject to its approval.

Upon motion by Mr. Larson, adopted without objection, the Trustees approved the recommendations of the Director and agreed to a proportionate reduction in rent after construction of the dikes upon a showing being made by the lessee of the net area remaining for use under the lease.

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LEE COUNTY - The Bremor Corporation, by its attorney, Halley B. Lewis, offered \$500.00 as compromise settlement in connection with sale of Government Lot 3 of Section 35, Township 43 South, Range 21 East, 11.8 acres, conveyed by Trustees' Deed No. 17238 dated July 22, 1925 to Frank C. Morgan. Purchaser gave a purchase money mortgage for the unpaid balance of \$885.00 evidenced by three notes bearing 8% interest, the first note and interest having been paid, and by mesne conveyances title was transferred to L.L. Morgan in 1926.

Taxes for the year 1932 became delinquent, tax certificate issued in 1933 under which the land was certified to the state in 1939 under the Murphy Act, and the land was subsequently sold and Murphy Act deed issued to Frank C. Morgan, the original purchaser, for \$12.50.

In 1951 the widow and sole heir of Frank C. Morgan conveyed the land to Bremor Corporation by warranty deed; in 1953 foreclosure proceedings were brought and Master's Deed issued September 2, 1952 to the Trustees, but the Bremor Corporation was not made defendant. Attention of the Attorney General was brought to the defect in 1956, for possible re-foreclosure or other appropriate proceeding to vest clear title in the Trustees since failure to pay the 1932 tax was a breach of a mortgage covenant and the claim of Bremor Corporation was outstanding, and after study the Special Assistant to the Attorney General indicated that in view of the facts and lapse of time the Trustees might be estopped from establishing title or foreclosing lien.

The Director informed the Board that recent review by the Attorney General's office indicated that the offer of \$500.00 might properly be accepted and quitclaim issued to Bremor Corporation.

Upon motion by Mr. Larson, adopted without objection, the Trustees accepted Bremor Corporation's compromise settlement offer of \$500.00 and authorized issuance of quitclaim deed with reservations identical to those in the original Deed No. 17238.

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PALM BEACH COUNTY - Central and Southern Florida Flood Control District on behalf of the U. S. Army, Corps of Engineers, requested a spoil area over submerged bottoms of Lake Okeechobee in the unsurveyed part of Section 35, Township 37 South, Range 35 East.

Upon motion by Mr. Larson, adopted without objection, the Trustees approved granting of the spoil area to the Central and Southern Florida Flood Control District as a perpetual easement area for use and benefit of U. S. Engineers.

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PALM BEACH COUNTY - The Trustees granted to the United States right of way easement No. 1168 dated April 15, 1958 for temporary spoil area, which expired December 31, 1958. On behalf of the U. S. Engineers, the Central and Southern Florida Flood Control District now requested temporary use of the same spoil area until December 31, 1961.

Without objection, on motion of Mr. Larson, the Trustees authorized issuance of temporary easement as requested, to expire December 31, 1961.

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PALM BEACH COUNTY - Florida Inland Navigation District requested perpetual dedication for right of way purposes of the Intracoastal Canal over a parcel of submerged land in the Jupiter River in

Section 31, Township 40 South, Range 43 East. The District obtained and submitted to Trustees executed release by the upland owners of a portion of the parcel abutting privately owned upland properties in Government Lot 10 in said Section 31, waiving objections to granting of the dedication.

On motion of Mr. Larson, adopted without objection, the Trustees authorized issuance of dedication as requested by Florida Inland Navigation District for the use and benefit of the United States.

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PASCO COUNTY - On behalf of Howard A. Burkland and Sumner S. Solitt, holder of Purchase Contract No. 22182, Sam Y. Allgood, Jr., attorney, requested conveyance of 7.8 acres, being a portion of the 375.3 acres included in the contract. Information was that the 7.8 acres was filled, utilities installed, streets paved, was adjacent to applicants' upland development of Section C-5 of Floramar. The contract account was in good standing with the amount of \$26,402.87 paid, of the total of \$62,572.29; and last payment under the contract would be due January 23, 1964.

Inasmuch as the completed unit was ready for marketing, included less than 3% of the tract under the contract, and issuance of deed to the 7.8 acres did not appear to impair the security, the Director recommended that the deed be issued.

On motion of Mr. Larson, adopted without objection, the Trustees approved the recommendation of the Director and authorized issuance of deed to the 7.8 acres on condition that the contract payment schedule remain unchanged until last payment, at which time adjustment of unearned interest would be made.

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ST. LUCIE COUNTY - The City of Fort Pierce by Resolution No. 2050 adopted January 16, 1961 by the City Commission made application for temporary use of "Coon Island" (MSA SL-7 of Intracoastal Waterway) as a recreation area and agreed that improvements consisting of temporary benches, tables and shelters would be promptly removed upon request of the United States and Florida Inland Navigation District, since Coon Island was within a perpetual spoil easement.

On September 30, 1960, waiver of objection to such use by the city was given by the District Engineer, U. S. Army Corps of Engineers, and on October 28, 1960 the Florida Inland Navigation District (a special taxing District charged with the duty to furnish easements for the waterway as required by the U. S. Engineers) adopted a resolution approving and recommending grant of temporary use to the city, subject to the conditions to which the city had agreed.

Upon motion by Commissioner Conner, adopted without objections, the Trustees authorized temporary use of Coon Island by the City of Fort Pierce as a public recreation area subject to the conditions in the city's Resolution No. 2050, and the Board directed that certified excerpt from these minutes be sent to the city to evidence the authorization.

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ST. LUCIE COUNTY - Without objection, the Trustees authorized issuance of State Permit to Karl Gordy and Harriett Gordy for the regular fee of \$100.00, for construction of an industrial dock with marine railway extending into the Indian River from the area in Section 3, Township 35 South, Range 40 East, leased by the applicants from Fort Pierce Port Authority.

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TRUSTEES' OFFICE- The Director advised that upon readvertising for bids on printed letterheads, five bids were submitted of which the low bid of \$69.50 was made by both H. & W. B. Drew Company and Bulkley-Newman Company, and that both firms agreed to award of the bid to the latter.



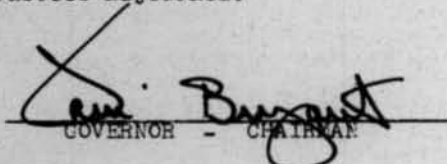
Without objection, the Trustees authorized purchase of the supply of letterheads for the Trustees' office on the basis of the low bid submitted by Fulkley-Newman Company.

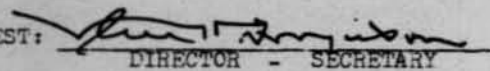
BOARD OF COMMISSIONERS OF STATE INSTITUTIONS AND TRUSTEES OF  
INTERNAL IMPROVEMENT FUND - Joint Action.

At a special meeting held in the Governor's Office on January 24, 1961, with the Governor, Secretary of State, Attorney General, Comptroller, Superintendent of Public Instruction, and Commissioner of Agriculture, present, it was unanimously agreed that the maintenance and operational expenses of the aircraft recently acquired by the State Civil Defense Council would be paid from funds of the Trustees of the Internal Improvement Fund.

This action was taken jointly by the Board of Commissioners of State Institutions and the Board of Trustees of Internal Improvement Fund.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
January 31, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office, at the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Van H. Ferguson	Director-Secretary

Without objection, the Trustees approved the minutes of the meeting on January 24, 1961, which had been approved by the Attorney General and copies presented to each member.

#### LAND SALES

DUVAL COUNTY - E. A. Turner and J. Noyce Fanning, Jr., adjacent upland owners, offered the appraised price of \$25.00 per acre for purchase of unsurveyed marsh land situate between applicants' Government Lots 5 and 6 of Section 35, Township 1 North, Range 28 East and Pumpkin Hill Creek. The unsurveyed marsh became vested in the state as swamp and overflow land under Gainesville Patent No. 105 issued February 16, 1895, and application was made pursuant to provisions of Section 253.381 Florida Statutes which allowed allocation and sale of patented swamp and overflow unsurveyed marsh with respect to adjacent upland ownership, natural divisions in the marsh and topographical features, the applicants seeking to purchase the marsh which separated their upland from the creek.

Recent survey disclosed that approximately 25.35 acres of the applicant's government lots as shown on the official United States survey and patent were below the line of normal high water, and since such submerged portions of the lots were originally sold as land and were included in acreage purchased by applicants, the applicants requested waiver of charge as to the 25.35 acres to which they held record title. The lots were patented to the state and sold in 1878 and 1879 respectively.

The Director recommended sale of the unsurveyed marsh between the two lots and creek without advertisement under the 1959 law, and that charge be waived for the 25.35 acres in private record ownership under the official U. S. survey of 1851, patent and original state sale, provided applicants furnished proof by a tax official that taxes were assessed and paid for twenty years last past on the submerged 25.35 acres. He explained that the law allowed sales to upland owners rather than to allow sales which would cut upland owners off from the water.

Without objection, the Trustees accepted the recommendations of the Director as the action of the board.

PINELLAS COUNTY - File No. 836-52-253.12. Nelson Poynter et al, abutting upland owners represented by Baynard, McLeod and Overton, applied to purchase a parcel of submerged land in Boca Ciega Bay in Section 13, Township 31 South, Range 15 East, containing 0.27 of an acre landward of the established bulkhead line, appraised at \$500.00 per acre. Purchase application was approved and advertised by Pinellas County Water and Navigation Control Authority, and certified transcript from the county's hearing cited no objections to the proposed sale.

The Trustees examined the plat submitted, and without objections sale of the submerged parcel was confirmed in favor of applicants at the appraised price of \$500.00 per acre.

1-31-61

## APPLICATION TO PURCHASE LAND

CHARLOTTE COUNTY - File No. 780-08-253.12. Lemon Bay Estates, Inc., abutting upland owner represented by Wotitzky, Wotitzky and Conrad, offered \$260.00 per acre for two parcels of submerged land comprising 12.87 acres within the established bulkhead line in Lemon Bay in Sections 1 and 12, Township 41 South, Range 19 East, abutting a tract of land formerly conveyed by Trustees.

The Director explained that the application area would be used for the deposit of spoil material from the canal dredging work by the West Coast Inland Navigation District, which would be preferable to having spoil islands created in open water. The Trustees examined the plat submitted by the applicant.

Upon motion by Mr. Larson, adopted without objection, the Trustees authorized the parcel advertised for objections only.

## BULKHEAD LINES

HILLSBOROUGH COUNTY - Hillsborough County Port Authority on September 15, 1960, after a series of public hearings, fixed bulkhead lines within the Hillsborough County Port District for the following areas:

Area I. West boundary of county and district at Old Tampa Bay easterly to east shore of said bay at junction of Courtney Campbell Causeway (including Rocky Point).

Area II. East shore of Old Tampa Bay at Courtney Campbell Causeway southerly to Howard Frankland Bridge.

Area III. East shore of Old Tampa Bay from Frankland Bridge to Gandy Bridge.

Area IV. In Old Tampa Bay and Hillsborough Bay in front of MacDill Field.

Area V. West shore of Hillsborough Bay from MacDill Field to seawall of Bayshore Drive near Gandy Boulevard.

Area VI. From Bayshore Drive seawall near Gandy Bridge to Davis Island Bridge, including Davis Island.

Area VII. Seddon Island, lands fronting Cut "D" of Hillsborough Channel, Garrison Channel, Ybor Channel and Turning Basin, Sparkman Channel and Hillsborough River.

Information was that the submerged lands within the district were granted to Hillsborough County Port Authority by Chapter 23338, Special Acts of 1945, and that after establishment of bulkhead lines, the Trustees' only authority would be with reference to fill permits. The District had procured study by the Coastal Engineering Laboratory and the State Board of Conservation. The Director and Mr. Kidd stated that the lines fixed indicate that efforts were made to attain a balance or compromise between the very liberal regular line recommended by the Laboratory and the very conservative line in specific areas recommended by the Board of Conservation, and voluminous transcripts of the local hearings had been submitted and carefully examined by the Trustees' staff. Maps and aerial photos were examined by the Board, and it was pointed out that adjustments were made to fit local problems, fills in place, causeway and bridge approaches, shallows and mosquito-breeding areas.

One objection only was received by the Trustees, from Mrs. Karl S. Pantle of Bel Mar Shores, where the bulkhead line had been fixed at the present shore line permitting no extensions.

The Director recommended approval of the bulkhead lines as satisfactory, based on the studies that had been made, and advised that the Coastal Laboratory had made recommendations to the Authority regarding anticipated filling at certain locations.



Upon motion by Mr. Green, duly adopted, the Trustees formally approved the bulkhead lines within the Hillsborough County Port District adopted on September 15, 1960 by Hillsborough County Port Authority.

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MISCELLANEOUS

STATE DRILLING LEASE NO. 1011 - For the record, the Trustees approved the designation by the California Company, holder of Lease No. 1011 modified May 28, 1957, of 1280 acres (2-section equivalent) south of the Marquesas Keys in Monroe County to which well recently commenced should apply, in accordance with requirement of Section 253.55 Florida Statutes and the lease provisions.

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COLLIER COUNTY - Martin J. Bowen of Montgomery, Alabama, purchaser of Government Lot 2 of Section 4, Township 53 South, Range 26 East, containing 69.83 acres under Contract No. 21410, requested extension to June 29, 1961 for making last payment, which was due on November 29, 1960 with 60-day grace period provided by contract having expired on January 29, 1961.

The Director recommended additional 90-day extension from January 29, with penalty interest of 1% per month on the unpaid balance from November 29, 1960.

Upon motion by Mr. Larson, duly adopted, the Trustees granted 90-day extension with provision for interest as recommended by the Director.

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ESCAMBIA AND SANTA ROSA COUNTIES - Pace Sand and Gravel Company, holder of sand and gravel lease covering sovereignty lands in the Escambia River, proposed to remove logs from the river in the course of its operations under the lease and offered to pay the trustees 10% of the net sales price for all logs taken, accounting for the logs each month when royalty under the lease was paid.

The Director advised that removal of the logs was considered one of the benefits of the lease as it would improve navigation in the river, and he recommended that Trustees require payment of 10% of the gross amount received by lessee in its disposition of the logs, lessee to keep records subject to audit.

After discussion the Trustees, without objection, authorized Pace Sand and Gravel Company to remove logs, lessee's records to be kept subject to audit, and payment of 10% of the gross amount received for the logs to be made each month as royalty payments under the sand and gravel lease were made.

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HIGHLANDS COUNTY - Permit. The Director recommended issuance of fill permit applied for by Roberts Groves at Avon Park, to remove 500 cubic yards of material from the bottoms of Lake Damon in Highlands County riparian to applicant's upland property on the southerly side of the lake in Section 10, Township 33 South, Range 28 East, to repair storm damage caused by Hurricane Donna and the accompanying heavy rains. The requested dredging in Lake Damon was approved by the State Game and Fresh Water Fish Commission.

Without objection, the Trustees authorized issuance of permit as requested, fill material to be placed on applicant's upland property for the standard charge of \$25.00 for 500 cubic yards.

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POLK COUNTY - Permits. The Director recommended issuance of fill permits applied for by two upland owners to remove from the bottoms of Clinch Lake in Polk County riparian to their properties fill material to repair storm damage and otherwise improve the applicants' uplands, the State Game and Fresh Water Fish Commission having approved dredging in this lake.

- (1) Application by Edward Letherman of Frostproof for 500 cubic yards of material from lake bottom in front of property described as the West 418 feet of the N $\frac{1}{2}$  of Government Lot 1 in Section 29, Township 31 South, Range 28 East for \$25.00, based on standard charge.
- (2) Application by Mrs. P. O. Richards of Frostproof for 365 cubic yards of material from lake bottom in front of property described as the East 115 feet of NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 29, Township 31 South, Range 28 East, for \$25.00, minimum charge.

Without objection, the Trustees authorized issuance of permits to the two applicants to dredge the material for deposit on upland property, for the charge of \$25.00 each.

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**PALM BEACH COUNTY** - File No. 815-50-253.129. Brockway, Weber and Brockway, engineers representing Mary Hampton Fullerton, applied for disclaimer under Section 253.129 Florida Statutes of two tracts of sovereignty land in the Jupiter River in Section 31, Township 40 South, Range 43 East, and Section 6, Township 41 South, Range 43 East, containing a total of 15.805 acres, more or less.

The tracts had been filled under the Butler Act in effect in Palm Beach County until June 11, 1957, and Attorney General Ervin explained that the Bulkhead Law provided that Trustees should on request issue disclaimers to upland owners of lands previously filled or developed.

Upon motion duly adopted, the Trustees authorized issuance of disclaimer to the applicant for \$10.00 handling charge.

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**PALM BEACH COUNTY** - The Division of Corrections requested that the Trustees consent to inclusion in the South Florida Conservancy District of Section 21, Township 43 South, Range 37 East, being Trustees land used by the Glades State Prison Farm under permission given June 28, 1955. The Trustees, as owners of 1771 acres in Sections 19, 20 & 29 of Township 43 South, Range 37 East (Prison Farm) currently were paying \$5.42 per acre per year as drainage maintenance tax to South Florida Conservancy District. The Director advised that it was anticipated that legislative amendment would be necessary for the District to be extended; also, that in addition to the \$5.42 maintenance tax a further construction tax might be imposed, making the annual drainage tax on a total area of 2410 acres amount to between \$13,000 to \$15,000 per year, and that neither the Division of Corrections nor the former Prison Division of the Department of Agriculture paid any of the assessments on the Trustees' lands which they occupied and used.

Comptroller Green reported that the committee had discussed the matter, taking into consideration that the value of the land would be increased and that the Prison Division did not have an appropriation for payment of drainage taxes.

Attorney General Ervin called on Director H. G. Cochran, Jr., who stated that no funds existed for payment of the taxes by the Prison Division. Mr. Ervin explained that the Legislature had placed on the Trustees the burden of carrying drainage taxes on the lands, and that until the Legislature made appropriation for the Division of Corrections to pay such taxes the duty on the Trustees remained, although it might appear that the user of the land should pay the taxes.

Without objection, the Board accepted the recommendation of the committee that no change should be made at this time as to payment of drainage taxes by the Trustees, and consent was given for Section 21 of Township 43 South, Range 37 East to be included in the South Florida Conservancy District as requested by the Division of Corrections.

TRUSTEES FUNDS- Capitol Building Alterations. The Coordinator for the Board of Commissioners of State Institutions submitted change order approved by its architect-engineer increasing the contract with Bear Construction Company, Inc., from \$25,490.00 to \$27,012.29 for alterations to offices in the capitol building for the Commissioner of Agriculture, which was authorized by the Trustees in joint meeting with the Board of Commissioners on November 15, 1960.

Upon motion by Comptroller Green, duly adopted, the Trustees approved the change order increasing the contract in the sum of \$1,522.29.

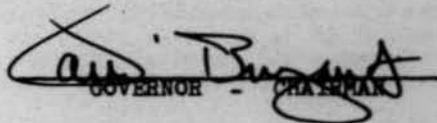
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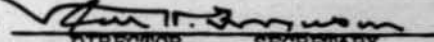
SUBJECTS UNDER CHAPTER 18296

BIDDING REPORT - Upon motion by Treasurer Larson, duly adopted, the Trustees approved Bidding Report No. 777 listing 4 regular bids for sale of Murphy Act land, and authorized issuance of deeds pertaining thereto.

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Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
February 7, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office, in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

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Van H. Ferguson	Director-Secretary
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Upon motion by Treasurer Larson, adopted without objections, the Trustees approved the minutes of the meeting on January 31, 1961, which were approved by the Attorney General and copies presented to each member.

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APPLICATIONS TO PURCHASE LAND

MONROE COUNTY - File No. 816-44-253.12. M D. Siderius, the abutting upland owner, represented by G. A. Crawshaw, offered the established price of \$425.00 per acre for a parcel of submerged land in the Bay of Florida in Section 32, Township 63 South, Range 37 East, Upper Matecumbe Key, containing 0.89 of an acre, more or less.

The Trustees examined the plat, moting that the parcel applied for conformed to an area bulkhead line.

2-7-61



Without objection, the Trustees authorized advertisement for objections only.

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MONROE COUNTY - File No. 817-44-253.12. Aden Blackman et ux, abutting upland owners represented by G. A. Crawshaw, offered the established price of \$300.00 per acre for a parcel of submerged land in the Straits of Florida in Section 18, Township 63 South, Range 38 East, Plantation Key, containing 1.18 acres, more or less.

The Director pointed out on the plat submitted that the parcel applied for conformed to sales previously made and the area bulkhead line.

Without objection, the Trustees authorized advertisement for objections only.

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MONROE COUNTY - File No. 818-44-253.12. Phillips Hardware Company, abutting upland owner represented by G. A. Crawshaw, offered the established price of \$300.00 per acre, or in this instance the \$100.00 minimum, for purchase of a parcel of submerged land in Buttonwood Sound in Section 28, Township 61 South, Range 39 East, Key Largo, containing 0.28 of an acre, more or less.

The Director stated that the proposed sale would conform to past sales and constructed breakwaters, helping to make a more orderly shore line.

Without objection, the Trustees authorized advertisement for objections only.

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MONROE COUNTY - File No. 819-44-253.12. Dave Wolfner, the abutting upland owner, offered the established price of \$300.00 per acre for a parcel of submerged land in a platted yacht basin in Section 35, Township 65 South, Range 33 East, at Crawl Key No. 5, comprising 0.34 of an acre.

The Director recommended denial of the application for the reason that the parcel sought was within a platted yacht basin, the riparian rights of which were enjoyed by other upland owners. He advised that the U. S. Engineers had referred to the Trustees for clearance an application from Mr. Wolfner for dock construction.

Upon examination of the plat submitted, and upon motion adopted without objection, the Trustees denied the application as recommended by the Director.

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#### APPLICATION AND BULKHEAD LINE

LEE COUNTY - File No. 807-36-253.12. Referred to the Trustees for formal approval was the bulkhead line established on December 21, 1960, by Resolution of the Board of County Commissioners of Lee County in the Caloosahatchee River in Section 34, Township 43 South, Range 25 East, offshore from property of Alfred L. Buell and wife on the south side of said river just east of its confluence with the Orange River. Filed with the Trustees were certified copy of the county resolution and copy of a letter from Florida Power and Light Company, adjoining property owner, waiving objection to proposed bulkhead line and contemplated fill.

The Director recommended approval of the bulkhead line, subject to the county filing with the Trustees proof of publication of notice of the county hearing, which publication was cited in the resolution but copy not filed with Trustees.

Also presented for consideration was application by A. L. Buell, abutting upland owner represented by Henderson, Franklin, Starnes and Holt, with offer of the appraised price of \$350.00 per acre for purchase of a parcel of submerged land in the Caloosahatchee River in Section 34, Township 43 South, Range 25 East, comprising 11.1 acres, more or less, within the bulkhead line.

The Trustees examined the bulkhead line and noted on the map that it approximated the general contour of the shore, encompassing an area of three feet maximum depth with some bottoms of much less depth.

Upon motion duly adopted, the Trustees formally approved the bulkhead line subject to proof of publication of county bulkhead hearing notice as required by law, and authorized subsequent advertisement for objection only based on the applicant's offer of the appraised price.

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#### MISCELLANEOUS

BROWARD COUNTY - Arvida Corporation, represented by Albert D. Quentel, requested certificate evidencing termination of Oil and Gas Lease issued March 24, 1930 to L. J. Ullian for a term of five years "and as long thereafter as oil and gas, or either of them, is produced.." from leased premises. The lease required drilling of two wells and payment of drainage, flood control and ad valorem taxes, however, since 1932 the lessee and his assignee had not complied with requirements of the lease.

The Director reported that paragraph 10 of the lease provided for cancellation by Trustees on 30 days written notice, that such notice had been issued with no response or objection, and he recommended that Trustees declare the lease void and of no further force or effect for failure of lessee and his assignee corporation to keep the covenants and obligations contained in the lease.

Without objection, the Trustees approved the recommendation of the Director and authorized cancellation of the Oil and Gas Lease.

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GLADES COUNTY - Extension of one year was requested by J. E. Frierson, holder of Grazing Lease No. 1036, expiring February 8, 1961, covering 59 acres of reclaimed Lake Okeechobee bottom land in Sections 14 and 23 of Township 42 South, Range 33 East at \$1.00 per acre per year. The Director reported the lease account in good standing, that the lease form included reservation to Trustees of right to cancel on 30-day written notice, and recommended the renewal.

Without objection, the Trustees approved one-year renewal of Grazing Lease No. 1036 to Mr. Frierson on the same terms and conditions.

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HIGHLANDS COUNTY - Renewal for an additional five years was requested by Julian O'Neal, holder of Grazing Lease No. 779 expiring February 14, 1961, covering Lot 1 of Section 21, Township 35 South, Range 30 East, containing 33 acres. The Director advised that the rental was \$1.00 per acre per year with clause in lease reserving to Trustees the right to cancel upon 30-day written notice, that the land flooded periodically restricting grazing use, and he recommended three-year extension of the lease.

Without objection, the Trustees approved three-year extension of Grazing Lease No. 779 on the same terms and conditions.

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MONROE COUNTY - George H. Estes and wife, holders of Lease No. 773, requested assignment of the lease to Small Business Administration, a U. S. Agency, to be security for a loan. The Director advised that the long-term lease covered 1.6 acres in Section 22, Township 63 South, Range 37 East, near the end of Whale Harbor Bridge.

Upon motion by Mr. Larson, adopted without objection, the Trustees approved the assignment, for the record.

2-7-61

MARTIN COUNTY - House of Refuge Museum, of the Martin County Historical Society, requested renewal of Treasure Lease No. 1018 granted October 28, 1955 for five years, which expired October 27, 1960. The lease authorized exploration of the zone two miles north, two miles south and one mile east of the House of Refuge, a former Coast Guard Station, for abandoned treasure and relics, and under the lease items found were to be reported to the Trustees and if disposed of by the lessee instead of being used for museum purposes, the lessee was to pay Trustees 12½% of the proceeds of sale. No items were reported taken or sold during the five-year period. The Director of the Museum advised that shipwrecks in the zone were charted but only one appeared to have been actually identified.

Since the Historical Society was interested not in commercial salvage but in protection and preservation of the wrecks until salvaged for recovery, display of relics and reconstructing the history, the Trustees' Director recommended a 10-year agreement without rental under which the Historical Society could salvage items from the zone, with covenants binding the Society to preserve such items subject to examination and evaluation by Florida State Museum, subject to such division as the Trustees might require during or at the end of the lease period, the Society to use its best efforts to protect the area against unauthorized salvage operations, promptly notifying the Sheriff and Trustees in the event of such unauthorized operations, taking such steps as might be recommended by the State Museum to protect salvaged items, all removed items to be promptly catalogued and reported to the Trustees but subject to display by the Historical Society at its House of Refuge Museum pending disposition or division of the salvaged items by the Trustees.

Without objection, the Trustees approved the recommendations of the Director as the action of the Board.

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HIGHLANDS COUNTY - Permit. R. L. Stokes, holder of Trustees Permit No. 1414 to remove fill material from bottoms of Lake Istokpoga from an area riparian to his upland properties, requested that the permit be increased to authorize an additional 99,000 cubic yards of material to be dredged for deposit on his adjoining upland. Based on the standard yardage rates, the cost of the additional material was \$2550.00.

The Director recommended that the permit be increased as requested by Mr. Stokes, subject to approval of Central and Southern Florida Flood Control District, and that the District be requested to check on the work to see that no damage was done to the large lake, which was a water storage area. The State Game and Fresh Water Fish Commission had approved dredging in Lake Istokpoga.

Motion was made by Commissioner Conner, duly adopted, that the permit be increased for the additional amount of material requested, subject to approval or supervision by the Central and Southern Florida Flood Control District as recommended by the Director.

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POLK COUNTY - Permits. The Director recommended issuance of fill permits applied for by three upland owners to remove from the bottoms of three Polk County lakes riparian to their properties fill material to repair storm damage or otherwise improve the applicants' uplands, the State Game and Fresh Water Fish Commission having approved dredging in the lakes.

- (1) Lake Clinch - Application by L. J. Burch of Frostproof for 300 cubic yards of material from lake bottom in front of property described as Block "E" Lots 7 to 14, Block "F" Lots 7 to 12, Bay View Park Sub. East of Highway, Plat Book 7, page 40, for \$25.00, the standard minimum charge.
- (2) Crooked Lake - Application by Richard Clark of Bartow for 2000 cubic yards of material from lake bottom in front of property described as Lot 6 of Breezy Point Sub. in Section 36, Township 30 South, Range 27 East, for \$100.00, based on standard charge.



- (3) Lake Reedy - Application by F. L. McLeod of Frostproof for 400 cubic yards of material from lake bottom in front of property described as 125 feet north of road, W $\frac{1}{2}$  of E $\frac{1}{2}$  of SE $\frac{1}{4}$  S. Lake Reedy, Section 34, Township 31 South, Range 28 East, for \$25.00, the standard minimum charge.

Without objection, the Trustees authorized issuance of permits to the three applicants to dredge the material for deposit on upland properties, for the charges listed above.

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MARTIN COUNTY - The Director reported that under U. S. Permit SAKSP 800.61(57-588) to Tuscay Properties, Inc., a pier was constructed across the public foreshore about one mile north of St. Lucie Inlet. Complaints concerning obstruction of passage of vehicles were brought to the attention of the Tuscay firm July 20, 1959 and September 9, 1960 with requests for modification to permit passage which existed prior to construction of the pier. Upon renewal of the complaints, the staff at the suggestion of the Attorney General issued notice on January 4, 1961 by registered mail to the Tuscay firm, requiring modification of the structure. More than thirty days had elapsed since the notice was delivered and no response was received.

On motion adopted without objection, the Trustees authorized the Attorney General to take appropriate action to protect the public interest.

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LAND OFFICE - Equipment. Without objection, the Trustees authorized purchase of one secretary chair, cost \$62.50 less 25%, net \$46.88, subject to regulations of the State Purchasing Council, for use in the State Land Office.

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TRUSTEES' OFFICE - The Director requested authority for awarding bid for printing of land sale notice and letter forms for use in the Trustees' office in connection with submerged land sales. He reported that six printing firms had submitted bids, of which the low bid of \$113.30 was from Bulkley-Newman Printing Company of Tallahassee.

Upon motion by Mr. Larson, duly adopted, the Trustees authorized purchase of the land sale notice and letter forms for the Trustees' office on the basis of the low bid submitted.

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TRUSTEES' FUNDS - Remodeling program for State Senate. Senator W. Handolph Hodges, Secretary of State Tom Adams, Coordinator Terry Lee and Architect-Engineer Robert H. Brown of the Board of Commissioners of State Institutions, presented to the Trustees the matter of remodeling for use as Senate offices and committee rooms the rooms formerly occupied by the press representatives near the Senate chamber, providing for the press glass-enclosed space in the gallery over the entrance to the chamber, remodeling the gallery and space in the basement for the Journal room, and making alterations to the air-conditioning system of the Senate chamber. Senator Hodges explained that preliminary plans and estimates had been prepared by Prentiss Huddleston & Associates, architects, and an advance from Trustees' funds was requested in the amount of \$54,272.00 to cover the construction cost and architect's fee.

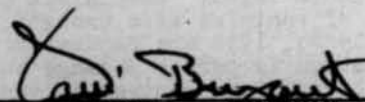
After the architect's plans were displayed and discussed, the Trustees stated that several good long-range developments would be provided, including additional seating space for future use on the chamber floor, better facilities for the press, replacement of noisy air-conditioning equipment, and that plans included table and seats in the hearing room.

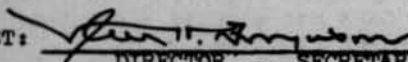
Upon motion by Mr. Larson, adopted without objection, the Trustees approved advance from the Trustees' funds in the amount of \$54,272.00 for the work requested by the Senate, including architect's fee, with the understanding that costs should remain within this figure.

SUBJECTS UNDER CHAPTER 18296

Upon motion duly adopted, the Trustees approved Bidding Report No. 778 listing one bid for sale of land under the Murphy Act, and authorized issuance of deed pertaining thereto.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR -- SECRETARY

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Tallahassee, Florida  
February 21, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office, in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	Richard W. Ervin	Attorney General
	Van H. Ferguson	Director-Secretary

Without objection, the Trustees approved the minutes of the meeting on February 7, 1961, which were approved by the Attorney General and copies presented to each member .

LAND SALES

CHARLOTTE COUNTY - File No. 786-08-253.12. On December 20, 1960 the Trustees considered offer of the appraised price of \$200.00 per acre from P. L. Crawford, abutting upland owner, for purchase of a parcel of submerged land in Lemon Bay in Section 33, Township 41 South, Range 20 East, lying westerly of and abutting Lot 5 of Subdivision of Fractional Section 33-41-20, containing 2.33 acres, more or less, landward of the established bulkhead line. The parcel was advertised for objections only in the Punta Gorda Herald and proof of publication was filed with the Trustees.

Glenn I. Griggs, owner of Caloosa Cove Subdivision east of the area applied for, protested the sale. The Director stated that the applicant's riparian rights attached to the parcel applied for, that the objector had already filled in a similar parcel adjacent to his uplands and that a navigable water area was left for access to the Griggs' lots.

The Director recommended confirmation of sale and formal approval by the Trustees of the fill permit granted by the Board of County Commissioners for filling the application area, which was designated as spoil area for the West Coast Intracoastal Waterway.

Without objection, the Trustees overruled the protest, confirmed sale of the 2.33 acre parcel to Mr. Crawford at the appraised price and approved the fill permit granted by Charlotte County

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CHARLOTTE COUNTY - File No. 787-08-253.12. On December 20, 1960 the Trustees considered offer of the appraised price of \$200.00 per acre from Grove City Realty Corporation, abutting upland owner, for purchase of a parcel of submerged land in Lemon Bay in Section 33, Township 41 South, Range 20 East, lying westerly of and abutting Lots 10 and 11 of subdivision of Fractional Section 33-41-20, containing 4.25 acres, more or less, landward of the established bulkhead line. The parcel was advertised for objection only in the Punta Gorda Herald, proof of publication was filed with the Trustees and no objections to the sale were received.

The Director recommended confirmation of the sale and approval of the fill permit granted by the Board of County Commissioners of Charlotte County to fill application area, which was designated as spoil area for material to be removed from channel of West Coast Intracoastal Waterway.

Without objection, the Trustees confirmed sale to the applicant at the appraised price and approved the fill permit granted by Charlotte County.

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HILLSBOROUGH COUNTY - File No. 671-29-253.12. Deferred on October 11, 1960 and presented for further consideration on this date was application of C. E. Mendez and wife, riparian upland owners, with offer of \$100.00 per acre, the appraised price, for 163.2 acres, more or less, of Tampa Bay tidal and submerged land in Sections 3 and 4 of Township 31 South, Range 19 East, between applicant's upland and the established bulkhead line. Protest to the sale had been made by John Kushmer as record owner of the SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 3, claiming riparian rights in the area in question and action was deferred without prejudice to allow negotiation by the parties.

Applicant furnished photocopy of deed executed by Mr. and Mrs. Kushmer in favor of applicant, vesting applicant with the portion of the Kushmer property to which riparian rights were claimed as basis for the objection. Since the objection was resolved, the Director recommended confirmation of sale subject to applicant recording and furnishing certified copy of the Kushmer conveyance from the public records.

Without objection, the Trustees confirmed sale as recommended by the Director, applicant to file with Trustees' office certified copy of the recorded Kushmer conveyance.

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MANATEE COUNTY - File Nos. 738-41-253.12. and 776-41-253.12. On January 17, 1961, the Trustees discussed and postponed action for thirty days on the following two applications, in view of objections from newly elected members of the Manatee County Board of County Commissioners.

(1) File No. 738-41-253.12. H. H. Howell, riparian upland owner represented by James A. Howze, offered the appraised price of \$400.00 per acre for submerged land within the bulkhead line established for Perico Island, adjacent to applicant's uplands in Sections 27, 34, 26 and 35, Township 34 South, Range 16 East, Parcel 1 comprising 34.9 acres in Sarasota Bay north of and adjacent to 1000-foot right of way of State Road No. 64, Parcel 2 comprising 21.7 acres in Sarasota Bay south of and adjacent to said right of way and Parcel 3 comprising 2 parcels aggregating 18.15 acres in

2-21-61



Perico Bayou, one north and one south of the 1000-foot wide right of way of State Road No. 64.

(2) File No. 776-41-253.12. Manatee Fruit Company, abutting upland owner represented by James A. Howze, offered the appraised price of \$400.00 per acre for two tracts of submerged land in Sarasota Bay and Perico Bayou in Sections 22, 26 and 27, Township 34 South, Range 16 East, containing a total of 31.5 acres within the established bulkhead line.

Telegram received February 9 from the Manatee County Commission withdrew former objections to sale of these submerged lands (Files 738 and 776) citing the new county policy of permitting dredging and filling only in areas landward of the bulkhead line. Letter from Chairman Crist explained that on February 6, 1961 the County Commission adopted a resolution in relation to the granting of dredge and fill permits which provided that no permit would be granted by the county to dredge or pump fill material from any submerged lands seaward of the bulkhead line, except for navigation channels running to deep water and the county requested that each applicant to purchase submerged lands in Manatee County be furnished copy of the county resolution.

The Director recommended confirmation of both sales and Trustees' Engineer William R. Kidd suggested confirmation of the Howell sale subject to checking by the Attorney General into reported litigation involving a bulkhead line in the general area. After discussion, it was the decision of the Trustees that since Mr. Howell was not a party to the litigation, holding up approval of the sale appeared unwarranted.

Upon motion by Attorney General Ervin, duly adopted, the Trustees confirmed sale of the 74.75 acres to H. H. Howell and the 31.5 acres to Manatee Fruit Company, abutting upland owners, for the appraised price of \$400.00 per acre.

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MONROE COUNTY - File No. 670-44-253.12. On December 13, 1960, the Trustees considered application by Edward Leitner, abutting upland owner, with offer of the appraised value of \$150.00 per acre for purchase of a portion of a sovereign mangrove island in Sections 22 and 27 of Township 61 South, Range 39 East, Key Largo, containing 4.42 acres, more or less. The land was advertised for objections only in the Key West Citizen, proof of publication filed with the Trustees and no objection to the sale was received.

The Director pointed out on the plat submitted the parcel applied for and explained that this would conclude sale of the island, the other portion having been sold to riparian owners.

Without objection, the Trustees confirmed sale of the 4.42 acres applied for by Mr. Leitner, for the appraised price.

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PALM BEACH COUNTY - File No. 792-50-253.12. On December 13, 1960, the Trustees considered application by Theodore Brower and wife, abutting upland owners, with offer of the appraised value of \$1401.00 per acre for purchase of a parcel of submerged land in Lake Worth in Sections 3 and 4 of Township 43 South, Range 43 East, City of West Palm Beach, lying easterly of and abutting Lots 7, 8, 9 and 10 of Block 38 of North Palm Beach, Plat #3, recorded in Plat Book 6, page 39, Public Records of Palm Beach County, containing 0.151 of an acre, more or less, within the established bulkhead line. The parcel was advertised for objections only in the Palm Beach Post, proof of publication filed with the Trustees and no objections were received. Central and Southern Florida Flood Control District waived objections to sale of the land.

Without objection, the Trustees confirmed sale to the applicants at the appraised price.

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PINELLAS COUNTY - File No. 822-52-253.12. Alex R. Willson, the abutting upland owner represented by Parker, Parker & Battaglia, offered the appraised value of \$500.00 per acre for a parcel of submerged land in The Narrows in Section 30, Township 30 South,

Range 15 East, containing 4.5 acres, more or less, within the established bulkhead line. Pinellas County Water and Navigation Control Authority approved and advertised the purchase application and transcript of the local public hearing held on December 22, 1960, was filed with the Trustees. The Authority advertised the sale to be heard by the Trustees on January 23, 1961; however, the file was received by the Trustees' office on February 14. No objections to the sale were filed with the Trustees.

Without objection, the Trustees confirmed sale to the applicant at the appraised price.

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PINELLAS COUNTY - File No. 824-52-253.12. L. B. McSwain, abutting upland owner represented by Leo M. Butler, offered the appraised value of \$500.00 per acre for purchase of a parcel of submerged land in The Narrows in Section 24, Township 30 South, Range 14 East, containing 0.83 of an acre, more or less, within the established bulkhead line set for the Town of Indian Rocks Beach South Shore. Pinellas County Water and Navigation Control Authority approved and advertised the purchase application and the transcript of the local public hearings held on December 8, 1960 and January 12, 1961, was filed with the Trustees. The Authority advertised the sale to be heard by the Trustees on January 10, 1961; however, the file was received by the Trustees' office on February 15, 1961. No objections to the sale were filed with the Trustees.

Without objections, the Trustees confirmed sale to the applicant at the appraised price.

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PINELLAS COUNTY - File No. 825-52-253.12. Clara C. Boffer, the abutting upland owner represented by Leo M. Butler, offered the appraised value of \$500.00 per acre for purchase of a parcel of submerged land in The Narrows in Section 24, Township 30 South, Range 14 East and Section 19, Township 30 South, Range 15 East, containing 1.33 acres, more or less, landward of the bulkhead line established for the Town of Indian Rocks Beach South Shore. Pinellas County Water and Navigation Control Authority approved the purchase application on January 12, 1961 and advertised it, furnishing to the Trustees proof of publication and transcript of the county hearing. The file was received from the county on February 15, 1961, and no objections to the sale were received.

Without objection, the Trustees confirmed sale of the parcel applied for at the appraised price.

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PINELLAS COUNTY - File No. 826-52-253.12. Bratton Land Company, et al, abutting upland owners represented by Kerr and Peebles, offered the appraised value of \$500.00 per acre for purchase of a parcel of submerged land in The Narrows in Section 19, Township 30 South, Range 15 East, containing 0.23 of an acre, more or less, landward of the established bulkhead line. Pinellas County Water and Navigation Control Authority approved the purchase and dredge-fill application and advertised it for hearing by the Trustees on February 14, 1961, furnishing to the Trustees proof of publication and transcript of the county hearing. The file was received from the county on February 15, 1961 and no objections to the sale or filling were received.

Without objection, the Trustees confirmed sale of the parcel applied for by Bratton Land Company and formally approved fill permit No. PDF138 granted on January 12, 1961 by Pinellas County Water and Navigation Control Authority.

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#### APPLICATIONS TO PURCHASE

The Director explained that the following five applications to purchase Charlotte County submerged land were submitted by upland owners desiring to have deposited on submerged land adjacent to their uplands spoil material from the canal dredging work by the

West Coast Inland Navigation District. The Trustees examined the plats submitted and it was stated that deposit of the material on riparian areas would be preferable to having spoil islands created in the water areas.

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CHARLOTTE COUNTY - File No. 827-08-253.12. Gus M. Cole, abutting upland owner, offered the appraised price of \$250.00 per acre for three parcels of submerged land in Placida Harbor in Sections 11 and 12 of Township 42 South, Range 20 East, containing a total of 30.88 acres landward of the established bulkhead line.

Without objection, the Trustees authorized advertisement of the parcels for objections only.

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CHARLOTTE COUNTY - File No. 828-08-253.12. Bert L. Cole, abutting upland owner, offered the appraised price of \$250.00 per acre for three parcels of submerged land in Placida Harbor in Section 12, Township 42 South, Range 20 East, containing a total of 27.13 acres landward of the established bulkhead line.

Without objection, the Trustees authorized advertisement of the parcels for objections only.

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CHARLOTTE COUNTY - File No. 829-08-253.12. Ralph M. Cole, abutting upland owner, offered the appraised price of \$250.00 per acre for a parcel of submerged land in Placida Harbor in Sections 11 and 12, Township 42 South, Range 20 East, containing 4.09 acres landward of the established bulkhead line.

Without objection, the Trustees authorized advertisement of the parcel for objections only.

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CHARLOTTE COUNTY - File No. 830-08-253.12. Clyde Nabors, abutting upland owner, offered the appraised price of \$250.00 per acre for a parcel of submerged land in Placida Harbor in Section 11, Township 42 South, Range 20 East, containing 4.20 acres landward of the established bulkhead line.

Without objection, the Trustees authorized advertisement of the parcel for objections only.

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CHARLOTTE COUNTY - File No. 831-08-253.12. Cape Haze Corporation, abutting upland owner, offered the appraised price of \$250.00 per acre for a parcel of submerged land in Placida Harbor in Sections 2 and 11 of Township 42 South, Range 20 East, containing 3.98 acres landward of the established bulkhead line.

Without objection, the Trustees authorized advertisement of the parcel for objections only.

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MANATEE COUNTY - File No. 800-41-253.12. John M. Brennan and wife, abutting upland owners represented by Meyers and Associates, offered the appraised price of \$400.00 per acre for a parcel of submerged land in Palma Sola Bay in Section 31, Township 34 South, Range 17 East, containing 1.19 acres landward of the established bulkhead line.

Without objection, the Trustees authorized advertisement of the parcel for objections only.

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MONROE COUNTY - File No. 814-44-253.12. L. L. Bucklew, Jr., the abutting upland owner represented by E. R. McCarthy, offered the established price of \$425.00 per acre for a parcel of submerged land in the Bay of Florida in Section 28, Township 63 South, Range 37 East, Upper Matecumbe Key, containing 0.25 of an acre.



Without objection, the Trustees authorized advertisement of the parcel for objections only.

PALM BEACH COUNTY - File No. 813-50-253.12. T. J. Jarvinen and wife, abutting upland owners, offered the appraised value of \$1925.00 per acre for two parcels of submerged land in Lake Worth in Section 34, Township 44 South, Range 43 East, containing a total of 0.283 of an acre in the Town of Lantana landward of the established bulkhead line.

Without objection, the Trustees authorized advertisement of the parcels for objections only.

#### BULKHEAD LINES

DUVAL COUNTY - Bulkhead Line and Application. File No. 821-16-253.12. Referred to the Trustees for formal approval was the bulkhead line established in accordance with provisions of Chapter 253.122 Florida Statutes by the Board of County Commissioners of Duval County, Section 1 having been approved by the county on November 28, 1960 and Section 2 having been amended and approved by the county on December 19, 1960. The bulkhead line was located along the northerly shore of the St. Johns River, into and along the easterly shore of the Broward River, abutting uplands of St. Regis Paper Company in the John Broward Grant, Section 46, Township 1 South, Range 27 East.

Also presented for consideration was application by St. Regis Paper Company, abutting upland owner represented by Adair, Ulmer, Murchison, Kent and Ashby, to purchase three contiguous parcels of submerged land in the St. Johns River and Broward River, containing 42.35 acres, more or less, landward of the above mentioned bulkhead line, for which offer of the appraised value of \$250.00 per acre was made.

Upon motion duly adopted, the Trustees formally approved the bulkhead lines established by Duval County Commission on November 28, 1960 and December 19, 1960; also, the Trustees authorized advertisement for objections only of the land applied for by the upland owner, St. Regis Paper Company.

HILLSBOROUGH COUNTY - Bulkhead Line and Application. File No. 823-29-253.12. Referred to the Trustees for formal approval was the bulkhead line established in accordance with provisions of Chapter 253.122 Florida Statutes, by the Board of County Commissioners of Hillsborough County on February 1, 1961 by "Resolution Changing Portion of Established Bulkhead Line." Filed with the Trustees' office were certified copy of the resolution and proof of publication of notice of public hearing. The bulkhead line was in Tampa Bay in Section 17, Township 31 South, Range 19 East and provided for a small extension of a portion of the fill at Apollo Beach Subdivision.

Also presented for consideration was application by Flora Sun Corporation, formerly known as Apollo Beach, Inc., the abutting upland owner, to purchase two parcels of submerged land in Sections 16 and 17, Township 31 South, Range 19 East in Tampa Bay, Parcel 1 containing 1.15 acres within the above mentioned bulkhead line and Parcel 2 containing 84.73 acres within previously established bulkhead line.

The application plat was examined and the Director explained that application for small area was for the purpose of providing sufficient depth to lots in that portion of the development for four-lane highway and parking area. The larger parcel was deleted from the original Apollo Beach application because of a squatter's claim, subsequently settled. The Director recommended sale of the two parcels at the price offered, \$125.00 per acre, which was the amount paid for the adjoining submerged land previously sold for the Apollo Beach development.

Upon motion duly adopted, the Trustees formally approved the bulkhead line established by Hillsborough County Commission on February 1, 1961 for the small area in Section 17, Township 31 South, Range 19 East and authorized advertisement for objections only of the two parcels applied for, based on the offer of \$125.00 per acre.

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PINELLAS COUNTY - Bulkhead Line. Referred to the Trustees for formal approval was bulkhead line established on December 30, 1960 in accordance with provisions of Chapter 253.122 Florida Statutes by Pinellas County Water and Navigation Control Authority around and conforming exactly to the area of two adjacent parcels of sovereign land in Section 30, Township 32 South, Range 16 East, in Boca Ciega Bay which were previously conveyed to George C. Marsic and Ada B. Marsic and to Donald A. Falk and Barbara I. W. Falk. The County Authority furnished proof of publication and transcript of the hearing which cited no objections to the bulkhead line.

Without objection, the Trustees formally approved the bulkhead line established by Pinellas County Water and Navigation Control Authority on December 30, 1960 for Marsic and Falk areas.

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LEE COUNTY - Bulkhead Line. The Director recommended to be referred back to the county a bulkhead line fixed August 19, 1960 by the Board of County Commissioners of Lee County offshore in San Carlos Bay in front of upland of Siesta Isles, Inc., westerly of Bayou Pass, being for a relatively short segment of a long bay frontage and not providing a clear picture of the ultimate development of the area. Near the Pass the line was more than 850 feet offshore and objection was made by six riparian owners within 1000 feet whose properties in San Carlos on the Gulf Subdivision fronted the Bay and Pass. They charged loss of view, depreciation of their property from development out to the bulkhead line and filed with the Trustees were their petition to the County Commissioners to reduce the offshore limit and copy of an appraiser's letter expressing opinion that development 800 feet from the shore would damage property values.

The State Board of Conservation study of July 1960 reported the area to be valuable for shrimp and fish. The Trustees' staff studied a purchase application on file, reported possible erosion and tidal problems, called attention to the fact that the bulkhead line was brought back to the shore at westerly end of property of Siesta Isles, creating an irregularity in a shore line which in the natural state was regular.

Upon motion duly adopted, the Trustees referred the bulkhead line back to the Board of County Commissioners of Lee County without prejudice for reconsideration, with the suggestion that the area encompassed be reshaped and reduced to take care of the objections mentioned.

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#### LEASES

PALM BEACH COUNTY - On November 23, 1960, the Trustees entered into Agricultural Lease No. 1436 of the Pelican Bay tract estimated at 2920 acres, with Pahokee Farms, Inc. Litigation with the former tenant-lessee ensued involving the equipment which former lessee had failed to remove. On February 7, 1961 stipulation was entered into whereunder the Trustees acquired all improvements except one barn on the premises and for dismissal of the suit brought by the Trustees, the settlement amount being \$30,000.00 which was paid and bill of sale obtained covering the improvements and equipment. On February 16 a meeting was held attended by the Attorney General, Comptroller, State Treasurer, Commissioner of Agriculture, Assistant Attorney General Robert Parker, Engineer Kidd, Director Ferguson, Messrs. Apelgren, Wilder and Friend representing Pahokee Farms, Inc. and William C. Harris, Counsel for new lessee.

Under the lease executed in November, rentals would become due when possession was delivered by Trustees, the sum of \$5,000.00 paid in November to be credited. It was found that possession before July would not enable lessee to actively commence farming operations characteristic of the zone. Agreement was reached whereunder rental should begin May 1, 1961 and be immediately prepaid through December 31, 1961, lessee to receive transfer of title to the items received in settlement between former lessee and Trustees and new lessee allowed to proceed with drainage and other preparation of the land. It was also agreed that since it was understood that the estimate of 2920 acres in the lease was based on deduction of two estimated areas committed to the Board of Public Instruction of Palm Beach County for educational agricultural use (not in the lease), and which two areas have since been surveyed and their areas computed accurately, that the area leased should be rechecked since rental was based on area. The staff checked and found that these actual areas committed to the Board of Public Instruction did not affect the estimate of area leased, leased areas having been computed by separate block scaling.

Without objection, the Trustees approved for the Minutes the stipulation dated February 7, 1961 and the agreement reached on February 16, 1961 concerning possession, rental, equipment and improvements.

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BREVARD, INDIAN RIVER, ST. LUCIE, MARTIN COUNTIES - The Director advised that the salvage lease authorized on January 17, 1961 to Real Eight Salvage Company covering an offshore area in the Atlantic Ocean extending 12 miles southerly from Sebastian Inlet, with exclusive salvage rights in two designated one-acre areas, was in fact included in Salvage Lease No. 1329 granted March 11, 1960 to the same applicant, the intent of the recent request being to designate the two one-acre areas for exclusive salvage rights under the 1960 lease.

Without objection, the Trustees approved the following recommendations of the Director: (1) the action of January 17 authorizing new lease was vacated; (2) the two one-acre areas within Lease No. 1329 were designated exclusive for salvage under the lease; (3) Lease No. 1329 was modified to allow the holding by lessee of all salvaged materials until the operation was complete for each vessel for evaluation and division under lease provisions rather than quarterly division, as recommended by Dr. William A. Sears, Associate Curator of the State Museum, but with continued requirement of quarterly reports of operations; (4) C. L. Wagner, president of Real Eight Salvage Company was authorized to notify unauthorized operators within leased zone, to request action by the proper Sheriff as necessary and to report violations to the office of the Trustees.

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GLADES COUNTY - Lease No. 1355 was entered into March 22, 1960 between the Trustees and Pearl Pearce Stevens covering grazing rights over 296.10 acres of reclaimed lake bottoms in Lake Okeechobee in Sections 2, 3, 9 and 10 of Township 39 South, Range 34 East, Glades County, for a period of five years from January 27, 1961 with an annual rental of \$1.00 per acre and with cancellation clause after notice of 120 days. Rentals were paid through January 26, 1962.

Central and Southern Florida Flood Control District requested cancellation of all that part of the leased area lying lakeward of the landward right of way line of Levee L-48, containing 224.10 acres. The staff suggested that lessee be given the right, at her discretion, to continue with grazing rights on the 72.0 acres remaining of the original area at the same rental.

Without objection, the Trustees authorized cancellation of the lease as of June 27, 1961, after 120-day written notice to lessee and issuance of refund to lessee of the prorated amount of unused rental, giving the lessee the privilege to enter into grazing lease of the 72.0 acre area on the same rental basis.

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SARASOTA, CHARLOTTE, LEE COUNTIES - Request was made by Farr and Farr on behalf of Charlotte Properties, Inc., for Trustees to reconsider action of December 27, 1960 and grant refund of \$900.00



paid by the firm as premiums on the bond required in connection with its Mineral Lease No. 935 dated May 5, 1954, which lease was invalidated in litigation under which oil and gas lease issued in 1941 to Coastal Petroleum Company was adjudged to include minerals in the area leased to the Charlotte firm. On December 27 request was made for reimbursement of rentals, royalties, bond premiums, travel and other expenses aggregating \$3066.18, of which the Attorney General found rentals and royalties aggregating \$1201.00 to be properly reimbursable and he cited the requirement of a surety bond of \$10,000.00 and noted the Trustees might determine that there is a moral obligation to save the lessee harmless on this expenditure. The Trustees authorized refund of \$1201.00 paid as rental and royalty.

The Director reported that the file contained copy of letter of Coastal Petroleum Company to the president of Charlotte Properties, Inc., dated April 5, 1954 citing the Coastal leases under which full exclusive mineral rights were claimed, that Charlotte Properties appeared to have had full knowledge of conflicting lease claim before entering into the lease with the Trustees under which bond was required and the Director recommended that Trustees deny request for reimbursement of \$900.00 paid by the applicant in bond premiums.

Attorney General Ervin explained that the Trustees in good faith leased to the Charlotte Properties firm the mineral rights exclusive of oil and gas, that after vigorous litigation the courts' decision was that Coastal Petroleum Company had not only right to take oil and gas but also right to dredge, excavate and take out any of the minerals, which the Trustees believed were not covered by the Coastal lease. He felt that not only rentals and royalties but also the bond premium should be refunded.

The Trustees discussed the fact that it was well known by all concerned that Coastal Petroleum claimed all minerals, which the Trustees had strongly contended against and the applicant for lease was aware of the contested mineral claims.

Motion by Mr. Green, concurred in by the Governor, was that the request for reimbursement of bond premiums be denied, sustaining the Trustees' action on December 27. Attorney General Ervin requested that his vote be recorded as against the motion. The motion carried.

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PALM BEACH COUNTY - Victor Vallecorsa, on behalf of Joseph W. Damateo, applied for exclusive lease of one acre in the Atlantic Ocean approximately 500 yards offshore and one mile south of the Palm Beach Fishing Pier to salvage a wrecked vessel.

The Director recommended authorization of an exclusive three-year lease of the site with surety bond of \$1500.00 and provision in the lease whereunder the Trustees might elect to require all salvaged items to be held and treated to prevent deterioration until the salvage operation was completed to allow the Florida State Museum to evaluate the items, this provision to be an optional right in lieu of the usual requirement of a quarterly settlement of royalty, the quarterly reports to be required as usual.

Without objection, the Trustees accepted the recommendations of the Director as the action of the Board.

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#### PERMITS

DUVAL COUNTY - On June 7, 1960 the Trustees authorized issuance of permit to dredge 150,000 cubic yards of fill material from the Ortega River in Jacksonville, Duval County, upon application by the S. S. Jacobs Company for a client. The company advised that due to a change in the planning of their construction operation, no material was used under the permit and refund of the \$3100.00 paid in advance was desired.

Without objection, the Trustees authorized refund to the S. S. Jacobs Company of the amount paid.

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FRANKLIN COUNTY - On behalf of Virgil Allen, upland owner on Mashles Island in Wakulla County and holder of Permit No. 1221, Attorney Howard Williams was heard concerning an erosion problem charged to dredging operations in the waters of Ochlockonee Bay in Franklin

County, near the Allen uplands. Permit was issued December 11, 1958 to Snow Beaches, Inc., and Joe Priest, the dredger, for removal of sand in the bay with restriction against any dredging of oyster bars. The dredger was charged with cutting through a natural spit on bar near the southeast corner of Allen uplands and continuing erosion was said to have resulted which threatened to damage buildings. Mr. Priest and the developer, Big Bend Development Corporation, were notified of the complaint of Mr. Allen more than a year ago and measures recommended by the Coastal Engineering Laboratory did not appear to have been put into effect. The staff felt that the Trustees were not in position to determine that the permit was violated.

Interested parties were notified and in attendance were Mr. Williams and his client Mr. Allen, Mr. Clyde Atkinson and client Mr. Priest, Sen. Luther Tucker and others. Mr. Williams contended that the contract had been violated by cutting an oyster bar, erosion of the building site and deposit of sand further down resulted and that Dr. Per Bruun had recommended construction of a groin and a waiting period of one year to determine if a cure was effected. Mr. Priest contended that he had not broken the contract by violations of provisions of the permit and asked that the Trustees appoint a committee to investigate.

Governor Bryant suggested that the Trustees' Engineer, William R. Kidd, go down and make an inspection, which was agreeable to both parties.

Without objection, the action of the board was to direct Mr. Kidd to make investigation and advise the Trustees at a later date.

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PINELLAS COUNTY - File No. 585-52-253.124. Without objection, the Trustees formally approved Fill Permit No. DF127 granted by Pinellas County Water and Navigation Control Authority on February 13, 1961 to William F. Gerity and Anna Gerity, to fill a parcel of sovereignty land in Section 1, Township 31 South, Range 15 East conveyed by the Trustees in Deed No. 22403 (585-52).

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PINELLAS COUNTY - File No. 743-52-253.124. The Director recommended deferment for study by the staff of a Fill Permit No. DF124 issued by Pinellas County Water and Navigation Control Authority on December 21, 1960 to William B. Clautice to fill a parcel of submerged land conveyed by the Trustees.

Without objection, the Trustees deferred action on the fill permit to Mr. Clautice.

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POLK COUNTY - Edward R. Crowder of Babson Park applied for permit to take 14,622 cubic yards of fill material from the bottoms of Crooked Lake to raise the elevation of his upland in Section 29, Township 30 South, Range 28 East, Polk County. It was explained that due to very large fluctuation in the water level of Crooked Lake, the material was necessary to develop the uplands into residential properties. The State Game and Fresh Water Fish Commission had approved dredging in that part of the lake.

Without objection, the Trustees authorized issuance of permit for the material requested based on the standard charge of 5¢ per cubic yard, or \$731.10.

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POLK COUNTY - The Director recommended issuance of fill permits applied for by two upland owners to remove from bottoms of Lake Clinch in Polk County riparian to their properties fill material to repair storm damage or otherwise improve uplands, the State Game and Fresh Water Fish Commission having approved dredging in this lake.

- (1) Application by Ada M. Keller of Frostproof for 425 cubic yards of material from lake bottom in front

of property described as East 200 feet of West 618.30 feet of Government Lot 1 in Section 29, Township 31 South, Range 28 East, for \$25.00.

- (2) Application by R. E. Keller, Secretary of Silver Sands Association at Frostproof for 400 cubic yards of material from lake bottom in front of property described as Silver Sands Subdivision of the South 330 feet of U. S. Lot 1 in Section 31, Township 31 South, Range 28 East, for \$25.00.

Without objection, the Trustees authorized issuance of permits to the two applicants to dredge the material requested for deposit on upland property, based on standard minimum charge of \$25.00 each.

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SANTA ROSA COUNTY - James E. Ward, owner of upland in Section 24, Township 1 North, Range 28 West and in Section 19, Township 1 North, Range 27 West, applied for 55,634 cubic yards of material from Wards Basin and Blackwater Bay in the zone clearly riparian to his upland. Applicant desired to use the material to fill his upland and he tendered payment at the standard yardage rate, total \$1,712.68.

Without objection, the Trustees authorized permit for dredging the material as requested for deposit on upland property, based on the standard yardage rate.

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#### MISCELLANEOUS

GLADES COUNTY - Without objection, the Trustees authorized issuance of corrective instrument conveying right of way easement for Levee L-49 in Glades County requested by Central and Southern Florida Flood Control District, the original Deed No. 22639 containing an error in description.

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LEE COUNTY - D. Vernon Smith on behalf of Egon Shaw and wife applied for exchange of deeds covering two parcels of land on Porpoise Island in Section 24, Township 44 South, Range 22 East. The lands in Deed No. 18954 dated August 30, 1944 to Fred Barre, predecessor in title to applicants, were conveyed by metes and bounds description referenced to courses shown by survey to be incorrect. Applicant submitted reconveyance with certificate of title.

The Director recommended acceptance of the reconveyance and new deed containing correct legal description for handling charge of \$10.00. Inasmuch as all fifteen conveyances on the island made by the Trustees contained the same erroneous courses to locate the points of beginning, he also recommended that similar exchanges be authorized to correct the errors.

Without objection, the recommendations of the Director were accepted as the action of the Trustees.

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MANATEE COUNTY - File No. 653-41-253.12. After transmitting to the Manatee Development Company Trustees' Deed No. 22615 (653-41), the staff found a difference in the description submitted by said applicant for and included in the deed as compared with that description submitted by Manatee County for the bulkhead line, the difference in curve data calculations being very small.

Without objection, the Trustees authorized issuance of a corrective deed to the grantee without charge.

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PINELLAS COUNTY - Without objection, the Trustees granted to the State Road Department a perpetual easement for road right of way over and across submerged bottoms of Boca Ciega Bay in Section 7, Township 32 South, Range 16 East, for SRD Section 15200-2501, Pinellas Bayway.



RESOLUTION TO TAX ASSESSORS - The Trustees formally adopted the following resolution required by law for certifying to the Tax Assessors lands held by the Trustees of the Internal Improvement Fund located within Central and Southern Florida Flood Control District:

BE IT RESOLVED by the Trustees of the Internal Improvement Fund of the State of Florida that pursuant to Section 30 of Chapter 25209, Laws of Florida, Acts of 1949, being Section 378.30 Florida Statutes 1951, the said Trustees hereby certify to the Tax Assessor of each county having land within Central and Southern Florida Flood Control District a list of lands held by said Trustees in said county, which lie within said Flood Control District, for the assessment thereon of said Flood Control District taxes.

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TRUSTEES' PAYROLL - The Trustees' office was advised that the Board of Commissioners of State Institutions on February 7, 1961 approved retirement of Col. Max Denton, Commissioner of Indian Affairs, effective March 31, 1961 but with an accumulated thirty days annual leave. Since he was carried on the payroll of the Trustees, authorization was requested for payment of his full salary for the thirty-day period beyond March 31, 1961.

Upon motion by Comptroller Green, duly adopted, the Trustees authorized payment of Col. Denton's salary for the thirty-day period after March 31, 1961.

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TRUSTEES' OFFICE - Upon motion duly adopted, the Trustees authorized extension of the temporary employment of Miss Jentye Dedge for approximately one month at a cost of \$650.00, it being understood that under State Retirement she would forfeit her retirement benefits during the employment period. The project involving examination, classifying and indexing of old Trustees' files and records was of great value to the office and she as a long-time employee was uniquely qualified for the work.

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CAPITOL BUILDING - Alterations. The Director presented change order No. 3 approved by Robert H. Brown, Jr., architect-engineer of Construction Division, Board of Commissioners of State Institutions, adding \$374.53 to the contract with J. O. Carlile being carried out with funds provided by the Trustees for alterations in the capitol building sub-basement to provide accommodations for press and television representatives. Original contract was approved on October 11, 1960 and the third change order increased total contract amount to \$58,248.43.

Without objection, the Trustees approved the additional amount of \$374.53 for work under supervision of the Construction Division.

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CAPITOL BUILDING - Alterations. The Director presented request for expenditure of an additional amount of \$106.00 needed to cover the cost of shelving and floor repairs in the Attorney General's library in the basement of the Capitol. On November 22, 1960 the Trustees approved payment of \$475.00 from Trustees funds for the repairs which were found to exceed the original estimate.

Without objection, the Trustees approved the additional amount of \$106.00 for the repairs to be done under supervision of the Construction Division.

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TRUSTEES' FUNDS - Remodeling for State Senate. On February 7, 1961 the Trustees approved advance from the Trustees' funds in the amount of \$54,272.00 for remodeling program requested by the State Senate, including architect's fees. Coordinator Terry Lee presented request

for authority for the Secretary of State to enter into contract with the low bidder, Winchester Construction Company of Tallahassee, in the amount of \$47,876.00 for alterations to the Senate Chamber, center wing and south wing of the Capitol building, to be paid from funds of the Trustees under the approval of February 7.

Without objection, the Trustees authorized entering into the contract as requested.

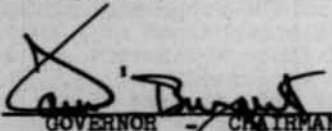
TRUSTEES' FUNDS - Loan to Board of Public Safety. Comptroller Green presented request on behalf of the Board of Public Safety for loan of \$75,000.00 from Trustees' funds, to be paid as needed and to be repaid from the revolving fund of the Board of Public Safety. It was explained that the purpose of the loan was to purchase card index equipment to provide information as to drivers' records.


Without objection, the Trustees authorized loan from Trustees' funds not to exceed \$75,000.00, to be paid as needed by the Board of Public Safety, repayment to be made as stated by the Comptroller.

SUBJECTS UNDER CHAPTER 18296

UNION COUNTY - Without objection, the Trustees granted to the State Road Department easement for state road right of way for Section 39501-2601, Union County, covering a small portion of two lots in Lake Butler embraced in tax sale certificate No. 183 of 1929.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
February 28, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office, at the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture
	Van H. Ferguson	Director-Secretary

#### LAND SALES

CHARLOTTE COUNTY - File no. 785-08-253.12. On January 10 the Trustees considered offer of the appraised price of \$200.00 per acre from Walter Van B. Roberts et al, the abutting upland owners, for purchase of a tract of sovereignty land in Lemon Bay in Section 18, Township 41 South, Range 20 East, lying easterly of and abutting Government Lots 4, 5 and 8 of said Section 18, containing 32.48 acres, more or less, within the established bulkhead line, proposed for filling with spoil from dredging of the Intracoastal Waterway. The tract was advertised for objections only in Punta Gorda Herald, proof of publication filed with the Trustees, and no objections to the sale were received.

Upon motion by Mr. Larson, adopted without objections, the Trustees confirmed sale of the submerged tract to the applicants at the appraised price.

CHARLOTTE COUNTY - File No. 788-08-253.12.. On January 10 the Trustees considered offer of the appraised price of \$200.00 per acre from W. E. Dunwody et al, as Trustee, the abutting upland owners, for purchase of 3 contiguous parcels of submerged land in Lemon Bay in Sections 7 and 8, Township 41 South, Range 20 East, lying Northwesterly, Westerly and Southerly of Lots 2 to 14 inclusive of said Section 7, Grove City Land Company's Subdivision, as recorded in Plat Book 1, Page 11, and Lot 67 in said Section 8, Grove City Land Company's Subdivision as recorded in Plat Book 1, Page 8, public records of Charlotte County, Florida, containing 20.27 acres, more or less, within the established bulkhead line. The land was advertised for objections only in the Punta Gorda Herald, proof of publication filed with the Trustees, and no objections to the sale were received.

The Director recommended formal approval of fill permit granted by the Board of County Commissioners of Charlotte County for filling the submerged area applied for with spoil from dredging of the Intracoastal Waterway.

Without objection, the Trustees confirmed sale of the submerged land at the appraised price and formally approved the fill permit granted by Charlotte County.

CHARLOTTE COUNTY - File No. 796-08-253.12. On January 10 the Trustees considered offer of the established value of \$260.00 per acre from W. E. Dunwody et al, as Trustee, riparian upland owners, for purchase of a parcel of submerged land in Red Fish Cove, Lemon Bay, in Section 6, Township 41 South, Range 20 East, lying Easterly of and abutting Lots 36 and 38, less that part of Lot 38 lying Westerly of State Road 776 in said Section 6 of Grove City Land Company's Subdivision, as recorded in Plat Book 1, Page 11, Public Records of Charlotte County, Florida, containing 2.92 acres, more or less, within the established bulkhead line. The land was advertised for objections only in the Punta Gorda Herald, and proof of publication was filed with the Trustees.

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Objections were received from George M. Fishtorn, Ray T. Kraft, West Charlotte County Civic Association, and petition signed by thirteen parties at Englewood, Florida. The staff felt that the shape and extent of the area and the anticipated filling would not materially affect property of objectors, and it appeared that the objectors did not understand that spoil from dredging of the Intra-coastal Waterway would be deposited on the submerged land applied for, which would be preferable to the creation of spoil islands in the open waters.

The Director recommended that objections be overruled and sale confirmed, and that the Trustees approve fill permit granted by the Board of Commissioners of Charlotte County.

The Trustees examined the plats submitted and discussed the matter of disposal of spoil material from the waterway dredging work.

Upon motion by Comptroller Green, adopted unanimously, the Trustees overruled objections and confirmed sale of the 2.92 acres of submerged land to the applicants; also, the Board formally approved the fill permit granted by Charlotte County.

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CHARLOTTE COUNTY - File No. 799-08-253.12. On January 10 the Trustees considered application by Florian V. O'Day, abutting upland owner, who offered the appraised price of \$250.00 per acre for purchase of a composite tract of submerged land in Lemon Bay in Sections 7 and 18 of Township 41 South, Range 20 East, surrounding and abutting Government Lot 9 in said Section 18, comprising 46.9 acres, more or less, within the established bulkhead line. The Board authorized advertisement for objections only and directed that the sale, if made, would be subject to adjustment of the area. The land was advertised for objections only in the Punta Gorda Herald, proof of publication was filed with the Trustees, and Walter Van B. Roberts, owner of Government Lots 3 and 4 in Section 18-41-20, protested the sale.

The Director recommended deferment to allow the staff to work out with the applicant an adjustment of the area which might clear the objection.

Without objection, the Trustees deferred action until a later meeting.

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MONROE COUNTY - File No. 797-44-253.12. On January 17 the Trustees considered offer of the established price of \$300.00 per acre from G. B. Holroyd, riparian upland owner, for purchase of a parcel of submerged land in Pine Channel in Section 34, Township 66 South, Range 29 East, Big Pine Key, containing 0.95 acre, more or less. The parcel was advertised for objections only in the Florida Keys Keynoter, Marathon, Florida, and no protest to the sale was received.

Without objection, the Trustees confirmed sale of the parcel to the upland owner for the price offered.

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PALM BEACH COUNTY - File No. 801-50-253.12. On January 10 the Trustees considered application of the City of West Palm Beach for conveyance for public purposes of the submerged land in the city in Lake Worth, Section 22, Township 43 South, Range 43 East, easterly of existing city bulkhead (constructed about the year 1917) between First Street extended on the north and extension of alley south of Block 8 on the south, to be used as site for municipal auditorium and public parking facilities. The land was advertised for objections only in the Palm Beach Post and proof of publication was filed with the Trustees.

Objection filed by Mrs. George W. Brown protested construction which would obstruct view from hotels and apartments west of Flagler Drive.

Objection was filed by Keen, O'Kelley and Spitz on behalf of Edward G. Newell, et al, as claimants of Lot 25, Park Point, which lot was platted from the upland into the lake beyond the proposed acquisition but for which clear evidence of legal ownership had not been presented; however, there was subsequently filed with the Trustees stipulation between the City of West Palm Beach, represented by

Attorney J. Lewis Hall, Jr., and Edward J. Newell and F. T. Brown, Sr., et al, represented by Attorney Charles H. Spitz, whereby the latter parties withdrew objection to granting of a deed or disclaimer from the Trustees to the city and the city withdrew from its application that certain portion affecting Lot 25.

Protest was filed by Stafford B. Beach and John B. Beach, owners of Block 8 and the area between it and Flagler Drive, claiming riparian ownership. Concerning this protest the city cited quitclaim deed issued by the Model Land Company to Mrs. Annie B. Beach August 1, 1935 and by the city to Mrs. Beach September 4, 1935, each purporting to quitclaim any right or interest of the city in a parcel between Block 8 and sidewalk area west of Flagler Drive, being a part of Lantana Avenue. The recorded plat of West Palm Beach filed December 28, 1893 showed Lantana Avenue separating Block 8 from the waters of the lake. Flagler Drive appeared to have been filled east of the former Lantana Avenue in that area, together with a strip lakeward of Flagler Drive designated as a park, the park strip not extending entirely across the zone directly lakeward from Block 8.

Title certificate reported the city as apparent record owner east of west line of Flagler Drive but cited conflict of claim as to the Newell item, and the title company assumed no liability for the content of its certificate. The Trustees staff suggested that the applicant should resolve the claim of riparian rights by Messrs. Beach and concerning the Newell claim of Lot 25 and filled area lakeward.

John B. Beach filed petition setting out objections to the proposed sale to the City of West Palm Beach. He and his brother, Stafford B. Beach, claimed to be the upland riparian owners of lands in Block 8 and the filled and submerged land eastward to the channel; that sale of any land in the north half of the cove would be contrary to the public interest, referring to Supreme Court cases; that the legal questions involved should be examined by the Attorney General's office before action was taken; that to prevent what the Beach interests considered was an encroachment by the city on riparian rights, legal action might be necessary.

Mr. Hall and City Attorney Egbert Beall presented the claim of the city that the Beach interests were not and never had been upland riparian owners, that Lantana Avenue was never dedicated and fee title was retained by former owner, Mr. Flagler. The Trustees examined several plats and discussed the conflicting claims.

Upon motion by Attorney General Ervin, seconded by Mr. Larson, duly adopted, the Board conditionally approved conveyance of the land applied for by the City of West Palm Beach excluding the portion in the stipulation between the city and the Newell-Brown interests subject to further study and approval by the Attorney General's office, and also subject to withholding of the deed for 30 days from the date of approval by the Attorney General's Office so that protestants could bring legal action if they desired.

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OKALOOSA COUNTY - File No. 620-46-253.12. On January 10, 1961 the Trustees considered offer of the appraised value of \$50.00 per acre from W. B. Spence et al, riparian upland owners, represented by Attorney E. Dixie Beggs and Lloyd C. Powell, for purchase of a parcel of sovereignty land in Section 1, Township 1 South, Range 23 West, in Boggy Bayou 6.32 acres in the City of Niceville, within the established bulkhead line. The main upland of applicants was south of the area sought but a narrow strip of upland extended to west end of bridge of State Road 35, between highway right of way and the bayou, a portion of the existing strip being filled land. The land was advertised for objections only in the Okaloosa News-Journal, Crestview, Florida, and proof of publication was filed with the Trustees.

As information, the Director advised that U. S. Dependent Resurvey approved in 1932 showed a strip between highway and bayou and included land not shown on U. S. Survey of 1827; Bureau of Land Management did not claim on behalf of the United States, advising on February

2-28-61

15th that it presumed title to the additional areas found in 1932 passed with the patents issued prior to the resurvey. The thread of Juniper Creek was along the east side of the bayou adjacent to upland of S. H. Adams and T. M. Smith who did not object to the sale provided the Spence fill would not connect with any island or land east of the bulkhead line and divert the flow against their upland. William Fisher, Jr., represented those two owners at the meeting.

Objections were received from Mr. and Mrs. Bill Meigs, riparian owners within one thousand feet of the application area. Mrs. Meigs repeated her objections at the meeting, and also expressed the opinion that the land was more valuable to the state than the appraisal amount. Protests also were received from Roger Clary, Mrs. John Fetner, and F. R. Sibert and L. L. Lovering on behalf of the Tokyo National Memorial Committee, requesting conveyance of the area as a site for a Doolittle Memorial proposed by the Niceville-Valparaiso Chamber of Commerce. Inasmuch as the area was riparian to applicants' upland, suggestion was made that dedication of grant for the public memorial could be made with written consent of riparian upland owners.

The Director recommended that objections be overruled and sale confirmed contingent upon applicants executing and delivering a recordable memorandum agreement or covenant that at such time filling was done in the area landward from the bulkhead line, that a channel 100 feet wide should be cut to a navigable depth southerly from state road right of way easterly of and parallel to the bulkhead line and that no land connection should be made or remain between bulkhead line and any island in or along the easterly side of Boggy Bayou south of the state road. He also recommended that the sovereign area filled between the natural shore and the bayou, approximately 0.14 acre, be included in the conveyance with charge of \$50.00 for that portion.

The Trustees examined the plats and discussed the location of the parcel, the Attorney General explaining that the Trustees had not usually approved private commercial use of land adjacent to right of way or bridge approach areas. The Trustees favored the suggestion that a site near the end of the bridge be reserved and dedicated for the public monument, however Mr. Lovering advised that no definite decision had been reached on the site desired for the memorial.

Without objection, the Trustees deferred action for further investigation and report by the Director and Engineer Kidd.

#### BULKHEAD LINE

ESCAMBIA COUNTY - City Attorney Churchill Mellen, Mayor Roy S. Philpott, Mayor pro tem E. P. McCullough, City Commissioners J. J. Banfell, Fud Thornton, Kenneth J. Kelson of Pensacola, Florida, were present on behalf of a bulkhead line fixed by the City Council on August 25, 1960, previously considered by the Trustees on October 4 and December 20, 1960. The proposal of the city officials to appear in the city's behalf, without the upland owner or other private proponents and objectors, was submitted to the Attorney General who advised on January 31 that since the appearance would not be a public hearing, notice to the riparian owners and objectors would not be necessary.

Mr. Mellen explained that the council had re-examined the bulkhead line at the request of the Trustees and had come to the conclusion that for the purposes desired by the city it was impractical to modify the line; that the city council and the planning board considered the bulkhead line for over three years and the line was based on recommendations of the Coastal Engineering Laboratory. Coordinated with the line was the new channel which had been cut deep and wide, in the past the city having spent a considerable amount each year to maintain a wandering channel. He and Mayor Philpott stated that the project was essential to the economy of the city, would develop the approach to the city, had the support of the local newspaper editor and the majority of the citizens of the city, that it could not possibly affect any objector in any reasonable degree, the closest objector being 750 feet away on a high bluff.

Attorney General Ervin expressed his opposition to the proposed bulkhead line, and suggested that in view of the many objectors a hearing



date should be arranged.

Without objection the Trustees took the matter under advisement for further hearing on a date to be arranged by the Director.

#### MISCELLANEOUS

DADE COUNTY - Refund. Request was made on behalf of the State Land Office for authorization of refunds of overpayment of Contract No. 21516 which was issued August 17, 1956 covering 300 lots in an undeveloped subdivision. Sale was made as 235.15 acres and subsequently the acreage was questioned, was recomputed from a legible map and the correct area fixed at 234.28 acres. The purchasers were advised to adjust their last payment under the contract but final payment was made and deposited, resulting in overpayment of the following amounts:

Morris Fedder, Purchaser of undivided 1/2 interest,	\$103.59
Florence Garten, " " " 1/4 "	51.79
Ida Kressin, " " " 1/4 "	51.80

Without objection, the Trustees authorized refunds to the three purchasers of the amounts overpaid, as listed above.

DADE COUNTY - American Mortgage Company, holder of Contract No. 22249 dated August 21, 1959 for purchase of 1130.07 acres in Sections 31 and 32, Township 57 South, Range 40 East, requested suspension of payments and penalties until the legal description was reconciled with the Dade County tax authorities.

The land appeared included in a proposed purchase of 8700 acres by Miami Land and Development Company upon which action was deferred September 24, 1914 (Minutes Volume 10, page 533). October 24, 1914 the firm proposed to deed its main canal 9 1/2 miles long (Detroit Canal) "for certain lands in Township 57 South, Range 40 East". The Trustees considered benefits to be derived from use of the canal and agreed to convey Section 31 in exchange for the right to connect with and drain into the canal (Minutes Volume 10, page 553). On April 3, 1915 the Trustees proposed conveyance of Sections 28 and 33, Township 57 South, Range 40 East in lieu of Section 31 and the same was accepted for the Development firm (Minutes Volume 11, page 66). On March 25, 1916 Miami Land and Development Company filed plat subdividing its lands and included subdivision of Sections 31 and 32 into lots, tracts, blocks and streets under which the lands became assessed - although in state ownership.

Upon motion duly adopted, the Trustees referred the matter to the Attorney General for review and appropriate action to vacate or set aside such portion of the plat as to the lands which were in state ownership, and the Trustees denied the applicant's request for suspension of payments or penalties.

DIXIE COUNTY - Disclaimer. John D. Moriarty applied for ex parte disclaimer of 0.20 acre parcel of land lying in southwest corner of Section 18, Township 9 South, Range 14 East, being a triangular-shaped parcel with base 27.72 feet and an altitude of approximately 637 feet. The Bureau of Land Management, United States Department of Interior, by letter to applicant's surveyor dated November 23, 1960 found that no public land existed in said section, thereby disclaiming any interest by the United States. As the parcel could not be classified as swamp and overflow land in character but rather as an accretion, the Director recommended disclaimer.

Upon motion by Mr. Larson, duly adopted, the Trustees authorized issuance of ex-parte disclaimer for handling charge of \$10.00.

GULF AND CALHOUN COUNTIES - Dead Lakes Dam.

On November 15, 1960 the Trustees were advised of the partial failure of the Dead Lakes Dam and heard request of Dead Lakes Water Manage-

ment District for supplemental loan to finance reworking of the project. The Director and Ralph McLane, then Assistant Attorney General, were instructed to investigate the cause of failure. Conference was held February 22, 1961, attended by Attorney General Ervin, Trustees' Engineer William R. Kidd, Assistant Attorney General Robert C. Parker, State Road Department Engineer Horton Buchan, Trustees' Auditor A. C. Bridges, Trustees' Director, and all members of the District.

The dam was constructed according to plans prepared by the District's Consulting Engineers, was bid and contracted in conjunction with the Road Department's bridge project at Dead lakes, and the Road Department recently made study of the structure and failure and prepared construction plans for the necessary reworking, with cost estimate. Mr. Buchan cited the fact that the Road Department found it necessary to drive piling 30 feet deeper for its bridge than originally planned and that on August 24, 1959 the District's Consultant cited need for modification in the plans for the dam with estimate of additional cost of \$65,000 for extensions of sheet-and-brace-pilings and to a greater depth, excavation and back-fill. During Hurricane Donna the waters of Woodruff Lake were released placing a full head of pressure on the northerly face of the dam while there was little water below the structure, weakening the structure at two locations, and the upper two 1-foot stoplogs were removed from the spillway under direction of the District's consulting engineer who appears to have had the upper logs placed in the spillway notwithstanding advice previously given for the logs to be omitted. The high velocity through the spillway created further damage in the zone of the dam. The District's consultant did not, in his advice to the District, anticipate the conditions which developed, and since the District proceeded with construction as originally planned, the Consultant appeared relieved of liability.

The State Road Department estimated the cost of the necessary reworking under contract to be \$79,767.00 and in addition to the portion to be contracted, the reworking would include a 2000 cubic yard fill with shell blanket and boulder cover for which no estimate was given. Final estimate of cost of the original project was not complete. Members of the District stated at the Trustees' meeting on this date that the counties would handle the filling portion of the new work, estimated to cost \$10,000.00.

Under the present loan agreement the Trustees had advanced \$60,000 to be repaid in 6 annual installments of not less than \$10,000 with 3% interest. The cost of the dam was \$180,000 of which the District paid \$30,000 and used \$90,000 of a matching appropriation under Chapter 57-423 General Acts of 1957. Chapter 57-1115 authorized a one-mill levy in each county. Currently only 1/2 mill was levied and provided about \$7500 per year. In addition the District realized about \$7500 from sale of its fishing licenses. Check for \$20,000 was handed to the Trustees on this date. The project in its present state was considered a liability and of no service until reworked. Bids for the new work should be taken not before April or May for reworking under the Road Department's plans and supervision, about three months during low water period being required for the work.

The Director recommended that any new loan should be covered by a new agreement consolidating the current account with the new, vacating and superseding the first loan agreement, and that the \$20,000 payment from the District on this date be applied to the current indebtedness. Under the circumstances, the Director suggested that if the advance was made, consideration should be given to a requirement in the new loan agreement that the full one-mill levy be imposed for a prescribed number of years, and remittance of all sums as realized from the tax levy and license sales, less only necessary expense incident to the same (estimated \$1500 annually).

Mr. Kidd stated that in his opinion the Dead Lakes Management District was not properly advised of the engineering risk of proceeding with the original plans, that error in judgment was made. Mr. Robert Parker explained the District was trying to construct the dam with limited money, not enough to take care of deeper pilings. The unexpected differential in water levels was the actual cause of the failure.

The Trustees questioned representatives of the District and Harlan O. Pridgeon, speaking for the District members, agreed that they would be willing to levy up to one mill tax, and preferred to have the loan amount spread over a ten-year period.

Treasurer Larson stated that the Trustees had looked into the matter thoroughly and approved the loan as a public improvement project, that the Dead Lakes area was widely known for its fine fishing grounds; Mr. Larson and Mr. Ervin mentioned loans for similar projects of internal improvements in the state which had been repaid, pointed out that the Trustees had not lost the loan but the people in the District had lost the work because of the miscalculations. Mr. Ervin recommended that the water conservation project, with new engineering design and construction under the supervision of the State Road Department, should receive further assistance.

Upon motion by Mr. Ervin, seconded by Mr. Larson and adopted without objection, the Trustees authorized additional loan to Dead Lakes Water Management District of \$80,000.00 at 3% interest, that the entire indebtedness be repaid in ten years, that the contract provide that the County Commissioners of Gulf and Calhoun Counties join, and if necessary that the one-mill levy be imposed, and that details and preparation of the new contract or agreement be referred to the office of the Attorney General.

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MANATEE COUNTY - The Director recommended cancellation, with an appropriate penalty, of purchase contract No. 21385 issued October 10, 1956 to Harvey C. Church and Ruth C. Church for purchase of 14.9 acres of submerged Sarasota Bay lands in Section 27, Township 35 South, Range 17 East. The contract sent to purchasers' attorney for execution was never returned to the Trustees, payments and other obligations of the contract were not met by the purchaser.

Upon motion by Mr. Green, adopted without objection, the Trustees authorized cancellation of the contract and that the sum of \$838.13 which was made as down payment prior to preparation of the contract be retained by the Trustees as penalty.

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PALM BEACH COUNTY - Old Port Village Corporation requested quitclaim or disclaimer covering two areas filled by applicant within Government Lots 2, 3 and 4 of Section 4, Township 42 South, Range 43 East, being portions of Little Lake Worth which was not meandered and was not navigable prior to applicant's removal of material to fill the two parcels. Since applicant held the record title and the state had no claim on the land, the Director recommended ex parte disclaimer of the two parcels for \$25.00 charge, to remove question of title arising out of the present navigability.

Without objection, the Trustees approved issuance of disclaimer as recommended by the Director, for \$25.00 charge.

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PALM BEACH COUNTY - On January 31 the Trustees, on request of the Division of Corrections, consented to inclusion of Section 21, Township 43 South, Range 37 East, in the South Florida Conservancy District, being part of the lands of the Trustees used by the Glades Prison Farm. On that date it was anticipated that the drainage tax to be borne by the Trustees would not exceed \$5.42 per acre per year, that being the tax rate paid by Trustees on other lands used by the Prison Farm in said District.

Attention was brought to a proposed bill under which the annual maintenance tax would be increased to \$6 per acre per year for 1961, \$7.25 for 1962, 1963 and 1964, and \$6 thereafter on the lands in the District and upon Section 21 upon its inclusion in the District. Information concerning the increased rates was not available on January 31 when inclusion of the section was considered.



In view of the increased tax rates, the Trustees considered it advisable to reserve final action on inclusion of Section 21 in the South Florida Conservancy District until it could be determined whether the benefits to state land from works of the District justified the expense.

Paul Skelton, representing the Division of Corrections, explained that inclusion of the section was being advertised as a local bill, but would not be introduced into the Legislature if the Trustees did not see fit to approve it. He offered to get with the Director and prepare a report for the Trustees.

Without objection, the action of the Trustees was to rescind consent given on January 31 for inclusion of Section 21-43-37 in the South Florida Conservancy District and reserve decision until further investigation was made.

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PINEILLAS COUNTY - Without objection, the Trustees authorized issuance of state permit to the City of Clearwater for construction of a proposed pier-groin in accordance with report and recommendation of the Coastal Engineering Laboratory, for the usual fee of \$100.00, waiving requirement of bond by the city.

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ST. LUCIE COUNTY - Without objection, the Trustees authorized issuance of state permit to St. Lucie County Mosquito Control District for construction of a commercial dock in the Indian River at Causeway Island, for the usual processing fee of \$100.00.

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VOLUSIA COUNTY - Thomas T. Cobb for Venezia I, Inc., and on behalf of the City of New Smyrna Beach and the Volusia County Board of Public Instruction, made the following request:

- (1) That the Trustees accept reconveyance of 22-acre parcel of sovereign marsh land deeded on November 12, 1957 to the City of New Smyrna Beach by Trustees Deed No. 21674 containing the standard public purpose clause;
- (2) That the Trustees then convey the 22-acre parcel to Venezia I, Inc., and receive in exchange a 22-acre parcel owned by the firm, and that this latter parcel be conveyed to Volusia County Board of Public Instruction by deed containing the standard restrictive clause for public school purposes only with reverter;

the above transaction to be contingent upon Mr. Cobb furnishing proper resolutions from city and county school board and title report showing Venezia I, Inc., as record owner of the parcel in (2).

The Director recommended a deferment, since it had been learned on the meeting date that the 22 acres to be reconveyed to the Trustees was in a purchase contract, that applicants wanted another 11 acres also in a purchase contract, and that all together the re-working of three contracts appeared to be involved.

Upon motion by Attorney General Ervin, adopted without objection, the Trustees approved the request of the City of New Smyrna Beach and the Volusia County Board of Public Instruction subject to details being worked out by the staff, Mr. Kidd and Assistant Attorney General Robert Parker.

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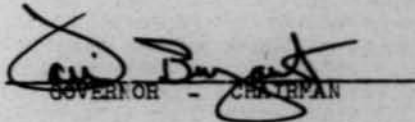
TRUSTEES' OFFICE - Without objection, the Trustees accepted a \$5.00 offer for sale of an old manual Underwood typewriter purchased prior to 1940 by the Trustees which had not been used for some years and required extensive repairs.


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SUBJECTS UNDER CHAPTER 18296

Without objection, the Trustees approved Report No. 779 listing 1 bid for sale of Murphy Act land, and authorized issuance of County of Brevard Deed No. 1126-Corrective to W. F. Booth to supply a more sufficient description of land conveyed on June 14, 1946 to the same grantee.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
March 8, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	Doyle Conner	Commissioner of Agriculture

Van H. Ferguson	Director-Secretary
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Without objection, the Trustees approved the minutes of the meetings on February 21 and 28, 1961, which were approved by the Attorney General's office and copies presented to all members.

LAND SALES FOR FURTHER CONSIDERATION

MONROE COUNTY - File No. 756-44-253.12. On December 13, 1960 the Trustees deferred action on confirmation of sale of a parcel of submerged land in the Bay of Florida located northerly of and adjacent to part of Government Lot 1 in Section 19, Township 65 South, Range 34 East, Grassy Key, until title question was resolved as to a part of the upland claimed by the applicant, Margaret L. Mitchell.

Since the easterly portion of the applicant's upland would probably be in litigation for some time, the applicant's surveyor, E. A. McCarthy, requested confirmation by the Trustees of sale of the 11.07 acres of submerged land bayward of the Mitchell upland not involved in title dispute. The Trustees' staff recommended sale of the 11.07 acre parcel at the established price, and that action on the 1.43 acre portion bayward of the disputed upland be deferred.

Upon motion by Comptroller Green, duly adopted, the Trustees authorized issuance of deed to the applicant covering the 11.07 acre parcel at the established price of \$300.00 per acre and deferred action on the parcel of land bayward of the disputed upland until the question of title was resolved.

PINELLAS COUNTY - File No. 793-52-253.12. On December 13, 1960 the Trustees took under advisement and referred to the Attorney General for study the application of Robert R. Tench as Trustee for purchase of a tract of submerged land in Section 28, Township 29 South, Range 16 East, containing 21.3 acres, more or less. The Tench upland in Lots 3, 4 and 5, Pinellas Groves, in Section 33-29-16, had frontage on the waters of Tampa Bay and the upland owner applied to purchase the submerged and tidal lands to the established bulkhead line.

The United States meander was between the present shore and bulkhead line and the proposed purchase included an area shown on original U. S. survey as Government Lot 3 of Section 28-29-16 owned of record by Municipal Liquidators, Inc., which claimed the government lot became submerged as result of an identified storm or hurricane, and that private title survived. Based on the title claim of Municipal Liquidators, Inc., the Pinellas County Water and Navigation Control Authority had denied approval of the Tench purchase application. The applicant based claim of riparian rights on alleged gradual, natural erosion which divested or extinguished private ownership of Government Lot 3. Report by the Attorney General suggested that the divergence of opinion as to ownership was such that the Trustees should defer sale under the application until ownership was determined.

Without objection, the Trustees deferred action on the application until a judicial determination of ownership was made, and the Attorney General was authorized, in his own discretion, to assist in securing such legal determination.

#### APPLICATIONS TO PURCHASE LAND

MARTIN COUNTY - File No. 837-43-253.12. A. A. Hendry and wife, abutting upland owners represented by Thomas H. Thurlow, offered the appraised price of \$250.00 per acre for a parcel of submerged land in the Indian River in Section 22, Township 37 South, Range 41 East, within the established bulkhead line. 1.68 acres.

Upon motion duly adopted, the Trustees authorized advertisement of the parcel for objections only.

MONROE COUNTY - File No. 838-44-253.12. M.N. Ferguson, the abutting upland owner represented by E. R. McCarthy, offered the established price of \$250.00 per acre for a parcel of submerged land in Sacarma Bay in Section 29, Township 66 South, Range 28 East, on Cudjoe Key. 0.96 acre.

Upon motion duly adopted, the Trustees authorized the parcel advertised for objections only.

MONROE COUNTY - File No. 839-44-253.12. Maurice A. Hauptert and wife, et al, the abutting upland owners represented by G. A. Crawshaw, offered the established price of \$300.00 per acre for purchase of a parcel of submerged land in the Bay of Florida in Section 18, Township 63 South, Range 38 East, Plantation Key. 2.60 acres.

Upon motion duly adopted, the Trustees authorized the parcel advertised for objections only.

#### BULKHEAD LINE AND APPLICATION

PINELLAS COUNTY - The Director recommended formal approval of bulkhead line fixed on January 26, 1961 by Pinellas County Water and Navigation Control Authority which was requested by City of Clearwater Resolution No. 61-4 for modification of bulkhead line for the southerly boundary of a portion of Bayside Subdivisions Nos. 5 and 6 to which an accretion had developed. The Director explained that the bulkhead line extended across a part of the accretion but was coordinated with the development of Little Pass Channel and the portion bayward of the bulkhead line was designated for dredging, that the area was in Clearwater Harbor and the bulkhead line would enable development of important navigation channels northwesterly of the



Intracoastal Waterway. Transcript of the Pinellas County Authority hearing cited no objections to establishment of the modified line.

Also, H. H. Baskin and Associates, as record owners of 16.98 acres of submerged land in Section 18, Township 29 South, Range 15 East conveyed by Trustees' Deed No. 20422 (Suppl.) in 1957, proposed to convey said parcel to the Trustees in exchange for the accretion area and sovereignty land between the bulkhead line mentioned above and their riparian upland, the area sought in the exchange being approximately 4 acres.

Coordinated with the above matter was request of the City of Clearwater by its Resolution No. 61-4 adopted on January 16, 1961 that the Trustees convey a tract of 189 acres of submerged land to the city for public purposes only, subject to spoil easement P-10 heretofore granted to the United States covering a portion of the tract. Under the resolution, the city was committed to grant perpetual easement to the United States for another portion of the tract as Spoil Area No. 5. Including the 16.98 acres offered in exchange by H. H. Baskin, et al, the 189 acre tract would be bounded on the southeast by the Intracoastal Waterway, on the northeast by a 500-foot channel along Memorial Causeway, southerly by Little Pass Channel and westerly by a channel to connect Little Pass Channel with Causeway Channel. The 189 acre tract also included a 34.53 acre parcel already in city ownership, which the city wished to convey to the Trustees for reconveyance by Trustees to city in an over-all description of the 189 acres for public purposes.

The Director recommended the grant for public purposes in connection with the requests of Mr. Baskin and the City of Clearwater as a coherent plan for the area which was not adverse to public or private rights.

Mr. Baskin and City Attorney Herbert M. Brown displayed plat and photographs of the areas involved and explained the city's plans for waterway development and retention of the 189 acres as channels and open expanse of public waters with two spoil areas not anticipated to be filled above water level, and the Trustees agreed that the three-point proposal explained here, (1) bulkhead line, (2) exchange sought by H. H. Baskin, Sr., and Associates, and (3) conveyance to the City of Clearwater, was a good plan for the area and would provide desirable water expanse for boating, recreation and view.

Upon motion by Comptroller Green, duly adopted, the Trustees (1) formally approved the bulkhead line adopted on January 26, 1961 by Pinellas County Water and Navigation Control Authority; (2) the Trustees agreed to accept fee simple deed from Mr. Baskin representing the record owners of 16.98 acres of submerged land in Trustees' Deed No. 20422 (Suppl.) in exchange for conveyance by the Trustees of the accretion area and sovereignty land between the bulkhead line and riparian upland of the private owners; (3) the Trustees agreed to accept reconveyance of the 34.53 acre parcel from the city and to convey the 189 acres, more or less, of submerged land to the City of Clearwater with no part to be filled other than what would be necessary for spoil areas and other channel improvements, with restrictions limiting the property for use for public purposes only and with provision that any future exception to that restriction should be mutually agreed upon by the Trustees and the City of Clearwater.

#### MISCELLANEOUS

BROWARD COUNTY - Lighthouse Point Yacht Basin, Inc., offered the regular processing fee of \$100.00 for State Permit to construct a marina in Lake Placid lakeward of the firm's upland at Pompano Beach. No objections had been filed, the area was zoned commercial, and the marina was planned to extend to the pierhead line.

Governor Bryant expressed the feeling that such commercial use appeared to be expropriation of public lakefront areas for private use, and it was suggested that the staff explore the subject with the Attorney General's Office.

Without objection, the Trustees deferred action on the application for permit and requested the staff to look into the matter and recommend policy for adoption by the Trustees.

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BROWARD COUNTY - V. A. Smith applied for modification of State Permit No. 1429(G-31) issued November 1, 1960 to permit construction of two additional groins at applicant's property fronting the Atlantic Ocean in Sections 31 and 32, Township 48 South, Range 43 East. Two groins were authorized by the original permit in accordance with the Coastal Engineering Laboratory and subsequent to the Laboratory's review and recommendation of one additional groin with \$300.00 additional bond, the applicant also requested that a fourth groin be included.

Without objection, the Trustees authorized modification of Permit No. 1429(G-31) to include two additional groins subject to recommendation on both by the Coastal Engineering Laboratory.

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BROWARD COUNTY - On January 17, 1961 application of David Bellack et al for a 2-year salvage lease of one square mile in Atlantic Ocean at Hallandale Beach was approved for operations at a submerged wreck location within 500 feet of upland held by the city for future park use, however issuance of the lease was deferred by reason of protest by the city to salvage by the private group since the city desired to preserve and display relics of historic interest. Since salvage operations could not be cleared with the city, Mr. Bellack requested refund of the \$100.00 tendered as rental for the first year, and the Director advised the Trustees that lease not having been issued the rental check had been held and now should be returned.

Without objection the Trustees authorized that the lease approved on January 17 be vacated in recognition of the withdrawal of the private group, and that the check for \$100.00 be returned.

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DADE COUNTY - Leo Landis on behalf of himself and wife and Harold Abbott and wife, holders of Lease No. 1177, requested approval of assignment of the lease to Medwin Benjamin which was secured by chattel mortgage of the assignee to Landis and Abbott.

The Director advised that the assignee had executed acceptance of the assignment and all obligations of the original lease and he recommended approval of assignment for the minutes subject to assignee furnishing surety bond to guarantee performance of all duties and obligations under the lease.

Without objection, the Trustees approved assignment as requested, subject to assignee furnishing the surety bond recommended by the Director.

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DUVAL COUNTY - Herman Ulmer, jr., On behalf of Dames Point Company, Inc., applied for disclaimer of approximately 12.78 acres in Government Lot 9 of Section 23, Township 1 South, Range 27 East, which was unsold public land of the Trustees assessed illegally for taxes, sold for the unpaid 1931 and 1932 assessments, state tax sale certificate issued, certified to the state under the Murphy Act and sold through the Clerk of the Circuit Court to J. D. Baye on March 12, 1947 for \$42.00, the Murphy Act title now in the applicant firm. The Attorney General having found that the Trustees were estopped from denying the Murphy Act transaction, it was recommended that quitclaim be authorized in favor of the record holder of the Murphy Act title subject to the same statutory reservations of oil, gas and minerals, for handling charge of \$50.00.

The Trustees expressed concern at loss of the land by reason of the illegal county tax assessment. Assistant Attorney General Robert C. Parker discussed a recent Supreme Court ruling unfavorable to the state in a similar case and Governor Bryant suggested that the Attorney General's office check into possible legislation to prevent such illegal assessments and loss of state lands.

Without objection, the Trustees deferred action on the applicant's request for disclaimer for further study by the Attorney General's office and the staff.

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**FRANKLIN COUNTY** - Ronald M. Bloodworth, holder of Sand Lease No. 1336 expiring March 10, 1961, requested extension on the same terms. The lease covered 220 by 350 feet of Apalachicola River submerged land 400 feet from main channel in front of upland of St. Joe Paper Company in Section 21, Township 8 South, Range 8 West, with royalty of 15¢ per cubic yard.

Upon motion duly adopted, the Trustees authorized two-year renewal of the lease on the same terms and conditions, subject to lessee arranging for consent of the upland owner.

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**HENDRY COUNTY** - SAKSP Permit (60-640). The City of Clewiston applied for State Permit for construction by the city of a mooring wharf, storage building, fish skinning sheds and other facilities in Section 10, Township 43 South, Range 34 East, on state sovereignty Lake Okeechobee land on the lakeward slope of the levee at Clewiston. The city proposed to provide the facilities for use only by commercial fishermen without wharfage charge as a city sanitation measure, and waiver of the \$100.00 fee was requested.

Commissioner Conner expressed the feeling of the Board that since the circumstances were different from other municipalities where the fee was required and in view of the construction at city expense with no charge to users and to improve sanitary conditions, fee could be waived in this case with the understanding that it would not establish a precedent.

Without objection, the Trustees granted permit to the City of Clewiston for mooring wharf and other facilities requested in the interest of city improvement, and waived requirement of \$100.00 fee subject to inclusion in the permit of clause prohibiting the city from making wharfage charges.

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**PINELLAS COUNTY** - On December 13, 1960 the Trustees agreed to an exchange of deeds of conveyance with the City of Clearwater covering a parcel of sovereignty land in Clearwater Harbor in Section 16, Township 29 South, Range 15 East and in preparation of the two deeds to the City of Clearwater, Deeds 22685 and 22686, the description on both inadvertently referred to two points of beginning.

Without objection, the Trustees authorized issuance of corrective deeds eliminating the erroneous reference at no cost to the applicant.

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**POLK COUNTY** - Roy D. Taylor made application for fill permit to remove from bottoms of Lake Clinch in an area riparian to his upland property in Section 6, Township 32 South, Range 28 East the amount of 490 cubic yards of fill material to improve his uplands. The Game and Fresh Water Fish Commission approved the dredging in Lake Clinch.

Upon motion duly adopted, the Trustees authorized issuance of fill permit to the applicant for the minimum charge of \$25.00 .

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**ST. LUCIE COUNTY** - Fort Pierce Port and Terminal Company, holder of Contract No. 22194, requested conveyance of 9.83 acres, being Parcel 1 in the contract. The contract covered two parcels aggregating 99.03 acres for a total amount of \$69,580.12, of which \$33,575.02 had been paid and the account was in good standing .

Without objection, the Trustees authorized deed to the contract holder covering the 9.83 acre parcel, the contract payments to continue until adjustment was made in the last installment .



TRUSTEES' FUNDS - Capitol Building Repairs. Request was presented from the Attorney General for payment from Trustees' funds of the low bid amount of \$388.00, made by P. O. Riley Contractor, for cleaning and painting offices used by the Criminal Appeals Division of the Attorney General's office in the north wing of the basement center section of the capitol building.

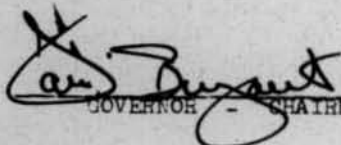
Without objection, the Trustees authorized payment for the work from Trustees' funds.

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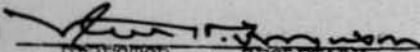
SUBJECTS UNDER CHAPTER 18296

Without objection, the Trustees approved Report No. 780 listing one bid for sale of land under the Murphy Act.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:

  
DIRECTOR - SECRETARY

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Tallahassee, Florida  
March 14, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room, offices of the Governor, in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

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Van H. Ferguson

Director-Secretary

Without objection, the Trustees approved the minutes of the meeting on March 8, 1961.

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LAND SALES

BAY COUNTY - File No. 795-03-253.12. On January 24, 1961 the Trustees fixed a price of \$25.00 per acre for a tract of submerged land in North Bay in Sections 7, 8, 17 and 18 in Township 3 South, Range 14 West, within the established bulkhead line and containing 164.3 acres, more or less, applied for by T. Y. Bingham et al, the abutting upland owners. Upon acceptance by applicant of the price fixed, the land was advertised for objections only in the Panama City News Herald, proof of publication was filed with the Trustees, and no protests to sale of the marginal area were received.

Upon motion duly adopted, the Trustees confirmed sale of the advertised land to the applicants at \$25.00 per acre.

CHARLOTTE COUNTY - File No. 780-08-253.12. On January 31, 1961 the Trustees considered application by Lemon Bay Estates, Inc., J. W. Landis, President, abutting upland owner, with offer of \$260.00 per acre for purchase of two parcels of Lemon Bay submerged land in Sections 1 and 12, Township 41 South, Range 19 East, one parcel containing 1.27 acres and the second parcel containing 7.56 acres, comprising a total of 8.83 acres, more or less, within the established bulkhead line. The land was advertised for objections only in the Punta Gorda Herald and proof of publication was filed with the Trustees.

Protests received from Age Skiolvig, Raymond McNaughton, Helmuth and Gustav Wegner, R. W. Pearson, Malcolm McDonald and W. R. Leth - bridge cited objections to filling in that part of the bay, damage to fishing and to view from property across from the undeveloped mangrove island owned by the applicant firm. The Trustees examined the plat submitted and it was noted that the areas would accommodate spoil in lieu of creation of spoil islands in the open water and that the county had granted fill permit for deposit of material to be removed from the channel by works of the West Coast Intracoastal Waterway.

Upon motion duly adopted, the Trustees overruled the protests and confirmed sale of Lemon Bay Estates, Inc. at \$260.00 per acre, and also formally approved the fill permit granted by the Board of County Commissioners of Charlotte County.

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DADE COUNTY - File No. 805-13-253.12. On January 24, 1961 the Trustees considered offer of the appraised price, \$4350.00 per acre, from Donald Y. Baxter, abutting upland owner of land in Section 40-54-41, for purchase of a parcel of abutting submerged land in Biscayne Bay in Section 13, Township 54 South, Range 41 East, containing 2.03 acres, more or less in the City of Miami within the established bulkhead line. The land was advertised for objections only in the Miami Herald, proof of publication was filed with the Trustees, and no protest to the proposed sale was received. Central and Southern Florida Flood Control District waived objections, and an adjoining owner on the southwest filed his approval of the sale.

Without objection, the Trustees confirmed sale of the advertised parcel to Mr. Baxter, the riparian owner, at the appraised price.

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DADE COUNTY - File No. 811-13-253.12. The Director presented for further consideration application of Charles F. Harvey and Helen A. Arnold for 211.15 acres, more or less, of sovereignty submerged and tidal land within established bulkhead line, easterly and bayward from applicant's Government Lot 4 of Section 22, Township 56 South, Range 40 East. The sale was processed in 1956 but not confirmed because of litigation, and presentation on this date was based on agreement between litigating parties for dismissal of suit and subject to settlement being made by Mr. Harvey for rock removed in channel work beyond the limits authorized in U. S. Engineers Permit No. SAKSP 56-108. Cross sections of the channel work disclosed payment was due to Trustees for 71,286.3 cubic yards removed from the area, plus 27,711.6 cubic yards in a spoil bank which was not authorized, which, at standard yardage rate, was \$2,579.96 due the Trustees for material subject to right of Mr. Harvey to remove the spoil bank after settlement.

Motion to dismiss the suit was submitted and applicant's attorney, Starr Horton, advised that certified copy of order of dismissal was filed with the Trustees and he reviewed facts pertaining to the application. The Director stated that the price was fixed in 1956, that in 1959 the Attorney General stated that sale should be concluded at that same price, and that the applicants' offer was \$275.00 per acre for 168.92 acres and \$200.00 per acre for 42.23 acres.

Carl Hoffman and Ken Kemper were present representing Power-Glade Corporation which claimed ownership of the subject area by reason of a deed to a predecessor in title in 1890 conveying the fractional section which they claimed covered the water areas as well as the government lots.

Upon motion by Attorney General Ervin, adopted without objection, the Trustees confirmed sale to applicants at the prices offered and directed that deed be held for thirty days to give the objector opportunity to enter suit if desired.

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DADE COUNTY - File No. 632-13-253.12. Presented for further consideration was application by Christian Wittkow and wife, riparian upland owners, with offer of the appraised price of \$1280.00 per acre for 3.46 acres, more or less, of submerged land in Biscayne Bay in Section 22, Township 54 South, Range 41 East, City of Miami, abutting applicants' Lots 4 to 9 inclusive of Block 43 New Biscayne, within the established bulkhead line. Advertisement for objections only was authorized June 14, 1960 and action deferred July 26 for further checking by the staff with reference to objections filed by J. G. Robertson, Wallace D. Culbertson, Mrs. J. Culbertson and Mrs. Lucie Romfh.

The Director explained the basis for objections filed with the Trustees and recommended overruling, as it appeared the rule was applicable that the definite portion of the description subject to accurate location should take precedence and that applicant held under a regular chain of title from the 1896 owner of the general area. Objectors were issued notice March 3rd that the Trustees would consider the application on this date.

Upon motion by Mr. Larson, duly adopted, the Trustees overruled objections and confirmed sale of the submerged land to the applicants at the appraised price.

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PALM BEACH COUNTY - File No. 801-50-253.12. On February 28, 1961 application by the City of West Palm Beach for grant of 17.118 acres of submerged land in Lake Worth, Section 22, Township 43 South, Range 43 East, was considered in connection with objection of Mrs. George W. Brown concerning obstruction of view and objection by John and Stafford Beach claiming riparian rights with reference to their upland in and adjacent to Block 8, West Palm Beach. Stipulation was introduced for exclusion of Lot 25 of Park Point, claimed by Edward G. Newell, et al, and the Trustees conditionally approved grant to the city subject to exclusion of the Newell property for future consideration and subject to approval of the Attorney General after further study.

The Attorney General determined that riparian rights did attach to the Beach upland, and on March 10 the city requested deed excepting the area riparian to the Beach property (and excepting the Newell item). The Director felt that time did not permit adequate notice to Mr. Beach, that filling by the city outward nearly 600 feet into Lake Worth might adversely affect the value of the Beach property, and that action should be deferred by the Trustees until the city cleared all questions as to its pre-emptive right to acquire the entire 17.118 acres.

Representing the City of West Palm Beach were City Attorney G. C. Herrin, Mayor Percy I. Hopkins, Egbert Beall, Robert P. Wallis and J. Lewis Hall, Jr. The city did not concede as to the rights claimed by Messrs Beach and submitted request to the Attorney General for reconsideration at a later time, however, in view of the progress of the municipal auditorium planning, the Trustees were urged to grant request of the city and deed that portion of the area not affecting the Newell and Beach interests. Mr. Beall informed the Board that private owners in the south half of the Cove planned to apply to the Trustees to purchase, had given the city 100 foot right of way, and all that waterfront area would be developed.

John B. Beach felt that final action at this time might prejudice his rights but that if the Trustees granted deed to the city he should be allowed to apply for a disclaimer; however after a conference with city representatives he reluctantly withdrew objections to granting to the city down to projection of centerline of Fern Street (as shown on the original plat) as the south boundary of the parcel for the city.



Attorney General Ervin expressed the feeling of the Trustees that through the chain of title the Beach interest had common law riparian rights which should be preserved, but that the remainder of the land applied for by the city should be granted in the public interest as it was the policy of the Trustees to cooperate with cities for municipal purposes.

Upon motion by Attorney General Ervin, seconded by Mr. Larson and adopted without objection, the Trustees granted to the City of West Palm Beach the submerged land for municipal purposes only, the boundaries to be as agreed upon - on the south to the projection of the centerline of Fern Street and on the north to the original boundary of the application, excluding the areas affecting the Newell and Beach properties, the legal description to be prepared by Mr. Wallis and approved by the Trustees' staff.

#### APPLICATION TO PURCHASE

MONROE COUNTY - File No. 778-44-253.12. W. Harrison Terry, the abutting upland owner, offered the established price of \$1000.00 per acre for purchase of a parcel of submerged land in the Bay of Florida abutting upland lots on the Island of Key West. On January 10 the Trustees deferred action, and on January 13 the City of Key West Electric System objected to the sale until such time as their proposal for transmission line was received and processed by the Trustees. Easement for the electric transmission line was granted on this date (see item recorded in these minutes) and the Director recommended advertisement for objections only of the parcel applied for by Mr. Terry.

Upon motion duly adopted, the Trustees authorized advertisement based on offer made by the riparian owner.

MANATEE COUNTY - Bulkhead lines fixed by the Board of County Commissioners of Manatee County on July 6, 1959 were approved by the Trustees on June 21, 1960 with the exception of one unit in front of Sunny Shores Trailer Community (Sagamore Estates) and with the exception of all units within public rights of way. Since bulkhead lines were intended to fix limitations for sales of sovereignty lands into private ownership and private filling, the Trustees' staff had maintained the position that the county was without authority to fix bulkhead lines within public rights of way.

On January 17, 1961 sales of submerged lands were confirmed to N. K. Winston-Sanson Florida Corporation and Flamingo Cay, Inc. for submerged lands within the established bulkhead line outside the 1000-foot right of way of State Road 64 in Palma Sola Bay and Perico Bayou. Before the deeds were delivered, the applicants advised that negotiations were under way with the State Road Department for release of portions of the road right of way, that the county had fixed bulkhead lines within the 1000-foot right of way and that upon consent of the Attorney General the Road Department would deliver quitclaim deed to all of the right of way except a basic center strip, as sought by the Winston-Sanson and Flamingo Cay firms.

The Trustees' office had no documentary evidence of surrender of the land by the Road Department, and information was that the area sought for purchase included areas filled with State Road funds. The staff felt that the county never fixed bulkhead lines within the 1000-foot right of way and that in event of surrender of 800 feet of the width by the Road Department, the county should fix the bulkhead lines for approval by the Trustees. The Director advised that no offer had been made for the land, that conversion of portions of public right of way for private enterprises might establish a trend for applications for land at other bridge approaches, and he did not recommend sale of the parcels.

Incomplete applications were filed by N. K. Winston-Sanson Florida Corporation for 1.74 acres in Perico Bayou in Section 26, Township 34 South, Range 16 East, and by Flamingo Cay, Inc., for 2.66 acres in Perico Bayou in Section 26, Township 34 South, Range 16 East and

1.92 acres in Palma Sola Bay in Sections 25 and 26 of Township 34 South, Range 16 East, all within right of way of State Road 64 granted by Trustees to State Road Department and landward of the lines projected by the county in its fixing of bulkhead lines. Robert P. Wallis and J. Lewis Hall, Jr., for the applicants, stated that the Road Department was ready to relinquish the land, that the county had already fixed the bulkhead line and had no objection, and urged the Trustees to advertise the land for objections only for the required thirty days, during which time all requests of the Attorney General would be complied with, and applicants would offer the full appraised price for the land in the present state.

The Trustees agreed with the Director that it was a critical situation, precedent should not be established toward violation of right of way or bridge approach areas for private enterprises, that every consent should be secured and any possible objection cleared before sale. The Attorney General said that the county would have to go through the process of setting the bulkhead line when they knew that the State Road Department relinquished part of the right of way.

Upon motion duly adopted, the Trustees agreed that in the event the State Road Department by resolution indicated its willingness to relinquish right of way outside of two hundred feet and in the event that Manatee County, based on the Road Department's relinquishment, fixed the bulkhead line to be effective when the deed was issued by the Road Department to the Trustees returning the excess right of way, then the Trustees should formally approve the bulkhead line and advertise for objections only the land applied for by Winston-Sanson and Flamingo firms.

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#### BULKHEAD LINES

SARASOTA COUNTY - Amended Bulkhead Lines. The Director presented two bulkhead lines fixed by Sarasota County Water and Navigation Control Authority in pursuance of provisions of Section 253.122(4) amending location of bulkhead lines originally fixed one foot offshore from the line of mean high water in the vicinity of Intracoastal Waterway in Little Sarasota Bay and in Phillippe Creek in Section 7, Township 37 South, Range 18 East. The lines fully respected requirement of West Coast Inland Navigation District and the U. S. Engineers for the waterway and navigation needs and would aid the District and the U. S. in procurement of rights of way and spoil disposal areas.

- (a) Bulkhead line relocated by Resolution adopted on December 20, 1960 by Sarasota County Water and Navigation Control Authority offshore from uplands of Gill-Thomas, Inc.; and
- (b) Bulkhead line relocated by Resolution adopted on December 28, 1960 by Sarasota County Water and Navigation Control Authority offshore from uplands of Ringling Trust and Savings Bank, W. G. Shepard and Katherine P. Shepard, et al.

The Director recommended approval of the bulkhead lines as to areas below mean high water.

Upon motion by Attorney General Ervin, seconded by Treasurer Larson, and adopted without objection, the Trustees formally approved the amended bulkhead lines as adopted by Sarasota County Water and Navigation Control Authority on December 20 and 28, 1960, as to areas below mean high water.

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#### MISCELLANEOUS

DADE COUNTY - Permit. Key Biscayne Yacht Club, Inc., applied for State Permit to extend existing piers and to construct two rubble breakwaters offshore in Biscayne Bay to protect mooring facilities.

Jack Madigan and Carl Nelson, for the club, explained the urgent situation and that rubble could be obtained from demolition work

on MacArthur Causeway if permit could be secured promptly.

Protest was filed by H. D. Bernard, by John A. Rush on behalf of Mrs. B. J. Neibert and other owners of residential lots, notices had been issued to owners in the vicinity advising of consideration on this date, and Mr. Rush was present to explain his clients' objections to the breakwater proposed to be constructed 90 feet in front of her property. It appeared to the Trustees that the club should revise its plan and build the breakwater in another location, and in that event the Director suggested that the Coastal Laboratory should be consulted.

Upon motion by Commissioner Conner that the applicant be required to get the consent of the upland owners, and lacking affirmative motion as to granting of permit to the applicant, Key Biscayne Yacht Club, no action was taken by the Trustees.

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DADE COUNTY - Lease assignment. Without objection, the Trustees approved for the records the assignment of undivided interest of the estate of Max M. Singer, deceased, in Lease No. 1177 to Harold Abbott and wife, Norma Abbott, Leo Landis and wife Estelle Landis. The assignment duly executed by Barbara R. Singer as Executrix was authorized by order of the Dade County Judge, and record in the Trustees' minutes was needed in connection with assignment by the Abbott and Landis parties to Medwin Benjamin which the Trustees approved on March 8th.

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DUVAL COUNTY - Disclaimer. On March 8th the Trustees deferred action on application of Herman Ulmer, Jr., on behalf of Dames Point Company Inc., for disclaimer of approximately 12.78 acres in Government Lot 9 of Section 23, Township 1 South, Range 27 East which was unsold public Trustees' land assessed illegally for taxes and sold for unpaid 1931 and 1932 assessments, certified to the state under the unredeemed tax sale certificates, sold under Murphy Act through the Clerk of the Circuit Court in 1947 to J. D. Raye, title now being in the applicant company and the Attorney General having found that the Trustees were estopped,

Assistant Attorney General Robert Parker advised that he was working on possible legislation to safeguard the state interest in future situations involving illegal assessments of exempt state land.

Upon motion by Attorney General Ervin, duly adopted, the Trustees authorized quitclaim deed to the record holder of the Murphy Act title subject to the statutory reservations of oil and minerals, for handling charge of \$50.00.

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BROWARD COUNTY - Presented for further consideration was the application of Lighthouse Point Yacht Basin, Inc., for State Permit to construct a marina in Lake Placid lakeward of the applicant's upland at Pompano Beach in an area zoned commercial. No objections were filed, however action was deferred for checking with the office of the Attorney General as to use of public lakefront areas for private business.

The Director had consulted the office of the Attorney General and recommended issuance of the permit, since building of dock or wharf appeared to be within the applicant's common law rights as a riparian owner.

Upon motion by Mr. Larson, adopted without objection, the Trustees granted permit to the applicant for construction of the marina for the standard processing fee of \$100.00.

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LEE COUNTY - State Drilling Lease No. 224-B Modified. Coastal Petroleum Company, holder of Lease No. 224-B Modified, requested recognition of the drilling of well designated California-Coastal



Well No. 1, begun September 24, 1960, completed to depth 14,000 feet on November 23, 1960, on leased premises, as compliance with the lease requirement of a well to 13,500 feet, for the footage to be credited and entitling the Coastal firm to a five-year extension of the lease effective March 27, 1961. The Director had verified with the office of the State Geologist that evidence of drilling to 14,000 feet was duly filed as required.

Attorney General Ervin called attention to the Coastal firm's harassment of many people about fills and claiming the right to sift the sands or to get compensation for those rights following the recent Supreme Court decision, and he called for the strictest compliance with all drilling obligations and lease provisions and that no concession be granted hereafter by the Trustees to the company.

Without objection, the Trustees recognized the drilling in compliance with the lease requirements, authorized that the footage be credited and the lease extended for five years from March 27, 1961 in accordance with the lease provisions and formal agreement concerning the proposed drilling which was executed October 20, 1960 in pursuance of action by the Trustees on September 6, 1960.

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MONROE COUNTY - The Utility Board of the City of Key West applied for an easement for electric transmission line across the submerged bottoms of the Bay of Florida, being a one-hundred-foot strip extending from the Island of Key West to Dredgers Key Road a distance of 4600 feet, to serve the Navy Capehart Housing Project. Consent of the nearest owners of riparian uplands was secured. (See Monroe County, File No. 778-44-253.12. Application recorded in minutes of this date.)

Without objection, the Trustees granted the easement as requested.

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PASCO COUNTY - On behalf of Howard A. Burkland and Sumner S. Sollitt, holders of Purchase Contract No. 22182, Sam Y. Allgood, Jr., requested conveyance of 47.63 acres out of the 375.3 acres in the contract. On January 24, 1961 7.8 acres out of the contract was authorized conveyed. The Director reported that the contract account was in good standing, and more than half of the total of \$62,572.29 had been paid.

Without objection, the Trustees authorized conveyance of the 47.63 acres requested, conditioned that the contract payment schedule remain unchanged until the last payment was made, at which time adjustment of unearned interest could be made.

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ST. JOHNS COUNTY - James Appell, holder of 5-year Lease No. 1323 requested ten-week deferment without penalty for payment of annual rental due March 10, 1960 in the sum of \$937.00 (\$2.50 per acre for estimated area of 375 acres of unsurveyed marsh). The Director informed the Board that the leased area was irregular in shape in Section 22-5-29, and 375-acre estimate was believed erroneous since the creek forming one boundary was not located as shown on the 1851 U. S. survey, and maps of portions of Section 22 not included in the lease failed to coordinate with the old U. S. survey. Mr. Appell also held Lease No. 1215 covering Government Lot 1, the only surveyed land in Section 22, and was endeavoring to establish accurate boundaries for development of the two leased areas.

Without objection, the Trustees granted ten-week deferment for payment of annual rental due on Lease No. 1323 upon condition that in event the area leased was greater than the estimated 375 acres, rental would be paid on the corrected area, and that credit would be allowed on the next rental in the event the area was less than shown in the lease, by survey acceptable to the Trustees' staff.

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HURRICANE STUDY REPORT - The following bids were obtained in accordance with recommendations of the State Purchasing Commission for

printing and binding of 6800 copies of the Hurricane Donna Study Report, together with the same number of envelopes for mailing:

Rose Printing Company, Inc., Tallahassee	\$2450.00
The H. & W.B. Drew Company, Tallahassee	2495.00

A third bid was submitted which failed to comply with all specifications.

The Trustees had decided that wide distribution of the information compiled by the Hurricane Damage Committee possibly could save a great deal of loss in the future of the kind caused by the hurricane and would point up the need for standards in filling, building, and protective measures.

The Trustees thought that the cost was excessive and upon motion by Mr. Larson, duly adopted, the matter was held in abeyance for securing additional bids.

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PALM BEACH COUNTY - The Trustees reconsidered the request of the Division of Corrections for inclusion of Section 21, Township 43 South, Range 37 East (Trustees' land used by the Prison Farm) in the South Florida Conservancy District. On February 28 the Trustees were advised of a proposed bill under which the maintenance tax levied by the District would be increased to \$6 per acre for 1961, to \$7.25 per acre for 1962-3-4, and \$6 per acre per year thereafter, and the Board desired information as to the benefits to the state land from inclusion of the section in the District.

According to information obtained by the Director, water control by pumping from Section 21 was necessary for agricultural uses and the Division of Corrections had, heretofore, pumped water onto an adjacent section whose owner now intended to use the adjacent land. Joinder with the District was the only feasible means of achieving coordinated drainage in the zone, and letter from the District explained the necessity for increased maintenance tax which at least 60% of the acreage owners favored. Further explanation was made by Paul Skelton, representing the Division of Corrections, and Assistant Attorney General Robert Parker.

Upon recommendation of Commissioner Conner, motion was made by Mr. Larson and adopted that the Trustees approve inclusion of Section 21-43-37 in the South Florida Conservancy District, as requested by the Division of Corrections.

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Treasurer Larson introduced James W. Sheffield, Jr., of Jacksonville, representing Wesconnett Chapter of DeMolay, an organization sponsored by Masons for young men, who was selected as Honorary Governor for the day and was observing the Cabinet meetings. With him were his father and F. G. Milkey, Chairman of Advisory Council of DeMolay.

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BROWARD COUNTY - Attorney General Ervin asked the Trustees to hear preliminary report by Guy Stovall, the originator and first constructor of Wayside Parks in Florida. Mr. Stovall described a Broward County project for a public park in an area now covered by Lease No. 796-B to J. D. Hawkins, in which land the Florida Board of Parks and Historic Memorials had been interested but was reported to have withdrawn its request for dedication (when the lease was vacated) in favor of the project approved by the Board of County Commissioners of Broward County.

The Trustees expressed interest and approval in Mr. Stovall's report on the public park. No formal action was taken.

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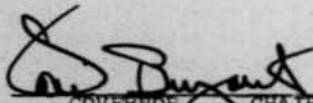
SUBJECTS UNDER CHAPTER 18296

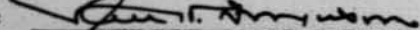
Without objection, the Trustees approved Report No. 781 listing two bids for sale of Murphy Act lands, and authorized issuance of

3-14-61

Broward County Deed No. 3003-Corrective to John Miller to correct plat book and page numbers in the description in original deed dated June 24, 1946 to the same grantee.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
March 21, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office, in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

Van H. Ferguson      Director-Secretary

#### APPLICATIONS TO PURCHASE LANDS

MONROE COUNTY - File No. 835-44-253.12. R. A. Bruce Boyd, abutting upland owner represented by C. G. Bailey, offered the established price of \$300.00 per acre for purchase of a parcel of submerged land in Pine Channel in Section 34, Township 66 South, Range 29 East, Big Pine Key, containing 0.69 of an acre, more or less.

Upon motion by Mr. Larson adopted without objection, the Trustees authorized the parcel advertised for objections only.

MONROE COUNTY - File No. 842-44-253.12. Florida-Southern Land Corporation, the abutting upland owner represented by Paul E. Sawyer, offered the established price of \$200.00 per acre for purchase of two parcels of submerged land in the Straits of Florida in Section 21, Township 65 South, Range 34 East, Duck Key, containing 4.94 acres, more or less.

Upon motion by Mr. Larson, duly adopted, the Trustees authorized the parcel advertised for objections only.

PINELLAS COUNTY - Bulkhead Line and Sale. - File No. 648-52-253.12.

Referred to the Trustees for formal approval was the bulkhead line established by Pinellas County Water and Navigation Control Authority on October 27, 1960, in the Anclote River at the Town of Tarpon Springs, said bulkhead line lying offshore from lands in Government Lot 2 of Section 11 and a portion of the SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 2, all in Township 27 South, Range 15 East, Pinellas County.



Frank Heinen and wife, abutting upland owners, applied to purchase a parcel of submerged land in Sections 2 and 11 of Township 27 South, Range 15 East, in the Anclote River, containing 2.54 acres, more or less, within the said bulkhead line. The Pinellas County Authority approved the purchase application, and proof of publication of notice of public hearing as well as the transcript of the county hearing were filed with the Trustees.

Appraisal secured in 1958 showed the value of a parcel of land within this area as \$250.00 per acre, and the staff recommended \$300.00 per acre for the application parcel.

Upon motion by Mr. Larson, duly adopted, the Trustees formally approved the bulkhead line established by the Pinellas County Authority and approved sale of the parcel to the applicants for \$300.00 per acre.

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DUVAL COUNTY - Bulkhead Line and Application. File No. 841-16-253.12.

Referred to the Trustees for formal approval was the bulkhead line established by the Board of County Commissioners of Duval County by Resolution adopted on January 23, 1961, lying southeasterly of upland property of the applicant, Kaiser Gypsum Co., Inc., in Section 42, Township 1 South, Range 27 East in the St. Johns River (old river). Proof of publication of notice of hearing and copy of the county resolution were filed with the Trustees.

Kaiser Gypsum Company, Inc., represented by Adair, Ulmer, Murchison, Kent and Ashby, offered \$100.00 per acre for purchase of 4.07 acres of submerged land abutting applicant's uplands in Section 42, Township 1 South, Range 27 East, within the said bulkhead line. The staff recommended \$250.00 per acre for the land.

Upon motion by Mr. Larson, duly adopted, the Trustees formally approved the bulkhead line established by Duval County and authorized advertisement for objections only of the parcel applied for, based on value of \$250.00 per acre.

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DUVAL COUNTY - Bulkhead Line and Application. File No. 833-16-253.12.

Referred to the Trustees for formal approval was the bulkhead line established by the Board of County Commissioners of Duval County by Resolution adopted on February 13, 1961, being a continuous bulkhead line approximately three and one-half miles in length along the easterly and southerly shore of the St. Johns River offshore from uplands in Sections 27, 28, 29, 33, 34, 51, 53 and 54, Township 1 South, Range 27 East, known as the Chaseville Point area. Proof of publication of notice of hearing and copy of the county resolution were filed with the Trustees.

Wurn Arlington Construction Company offered \$100.00 per acre for purchase of a parcel of submerged land in the St. Johns River abutting applicant's uplands in Section 51 (F.P. Ratio Grant), containing 2.81 acres within the eastern portion of the said bulkhead line. The staff recommended \$250.00 per acre for the land. Upon motion duly adopted, the Trustees formally approved the bulkhead line established by Duval County and authorized advertisement for objections only of the parcel applied for, based on value of \$250.00 per acre.

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ESCAMBIA COUNTY - Bulkhead Line. On February 28 the Trustees took under advisement for further hearing the bulkhead line adopted on August 25, 1960 by the City Council of Pensacola for the zone east of new Bayou Texar Channel, east of Old Pensacola Bridge approach, offshore from uplands of John B. Hoag. At two previous meetings the Trustees had heard objectors and proponents and suggestion was made that the City Council consider revision of the line, however the City did not deem revision of the location nor extension of the

line in front of other areas to be practicable since it preferred to fix lines as actually needed for specific improvements and the City Council felt that reduction of the area by curving the bulkhead line back to the shore made development economically unfeasible. Present on this date were Mayor Philpott, Mayor pro tem E. P. McCullough, Councilman Barfell and City Attorney Churchill Mellen. Mr. Mellen stated that the city had followed every provision of the law and the regulations of the Trustees' office, that no valid reasons for modification of the line had been advanced by the objectors, that the planned development of an unsightly area would be beneficial to the city, that sale and development would be under permit and zoning authority of the Trustees and the municipality.

For the applicant, Attorney Joe Harrell reviewed more than two years work in studies and planning of the "Gateway" project, cooperation with the city in every way including dedication of an area for channel improvement and waiving protest to a borrow pit area, and requested favorable consideration of the bulkhead line. Mr. Hoag spoke on behalf of his project, and there was considerable discussion, examination of plats and photographs, and questions asked by the Trustees.

Objections filed by residents of Pensacola cited the lack of a city plan for the entire waterfront, the proposed commercializing of residential area, the damage to the view of the shore line, and the large amount of submerged land desired as an extension to the applicant's small upland area. Several objectors were present, and E. Dixie Beggs and T. T. Wentworth spoke in opposition to the bulkhead line, pointing out a reduced area suggested at a previous meeting. Mr. Beggs stated that there had been no conservation report on the area, that no plan for the project had been exhibited, that there was much local opposition, and that the City Council and Planning Board had not given serious consideration to reducing the area desired for promotional development.

Attorney General Ervin and Comptroller Green expressed the desire of the Trustees to defer to decisions of local governing bodies, however as guardians of the public's interest in sovereign lands they desired area bulkhead lines following the general shore contour, not jutting out for an individual owner, especially in view of the criticism to filling in other parts of the state, not yet begun in Pensacola Bay.

Governor Bryant was not opposed to the project but pointed out that the effect of the bulkhead line adopted by the city could not be determined, as future extensions appeared likely and no general plan for the bay was available. He indicated that the riparian owner could be allowed sufficient submerged area to work out a feasible development.

Mr. Green suggested that the bulkhead line should be revised to terminate back at the shore line, Mr. Larson asked that the City Council and Planning Board make an effort to cut down the acreage within the line, and City Attorney Mellen stated that he would do his part to achieve such a modification.

Without objection, the Trustees, acting on the suggestions of Mr. Green and Mr. Larson, referred the bulkhead line back to the City Council of Pensacola for revision along the lines discussed, to reduce the submerged area and bring the bulkhead line back to the shore.

#### SUBMERGED LANDS POLICY

SUBMERGED AND TIDAL LANDS NOT RIPARIAN TO UPLAND - At the meeting on September 16 and 17, 1958, authorization was granted for requiring in competitive sales of offshore sovereignty areas the successful bidder, if other than the applicant, to reimburse the applicant's actual expenses for survey and establishment of the bulkhead line, the application to purchase to be accompanied by the receipted bills for said expense, such requirement to be set forth in the sale notice.

The processing fee of \$50.00 covering publication of notice and mailing of sale notices by registered or certified mail as required under Section 253.12, Florida Statutes was not included as a sum to be reimbursed to the applicant by the successful bidder. Inasmuch as the purchaser was, in effect, the beneficiary of the survey, bulkhead line and processing costs advanced by the applicant, the staff recommended that the action taken previously be amended.

Upon motion by Mr. Green, duly adopted, the Trustees approved the recommendation of the staff that the \$50 processing fee be included in the sum to be reimbursed to the applicant by the successful bidder, such requirement to be set forth in the sale notice.

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#### ISLANDS WHICH FORMED OR EMERGED ON SUBMERGED OR TIDAL SOVEREIGNTY LANDS

The State of Florida by admission to the Union March 3, 1845 became vested with all tidal and submerged lands in the public waters. Under a 1953 Federal law the United States made surveys showing certain islands which it represented as having emerged above mean high water between 1845 and 1953 and to which the U.S. claimed ownership adversely to the State's title to the sovereignty lands which vested in 1845 and upon which the islands formed, resulting in purported failure of title of lands conveyed by the State and conflicts of private interests which originated under State and Federal sales. The Director advised the Trustees that it was a matter of real concern since private and State ownerships were jeopardized, and he recommended that the interest of the Trustees on behalf of the State be expressed affirmatively in a Resolution to the Florida Congressional delegation urging review of the 1953 Federal law and its application.

Attorney General Ervin stated that the matter was under consideration and had been taken up with the U. S. Senators from Florida.

Without objection, the Trustees requested the Attorney General to prepare an appropriate Resolution to go to all the Florida delegation in Congress.

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#### LEASES; PERMITS

STATE DRILLING LEASES - J. L. McCord, a Director of Independent Petroleum Association of America and Vice-President of Commonwealth Oil Company, with which firm he was active in pioneer exploration for and in the discovery of oil on State lands, proposed the preparation of a Resolution by the Attorney General for consideration and adoption by the Trustees which he felt would be of interest to the oil producing industry, in full cognizance of the fact that other oil companies did not take the position taken by Coastal Petroleum Company on exploring for minerals other than oil and gas, but rather that in the preparation of the leases and the rules and regulations the Trustees and the lessees had in mind only those minerals that could be recovered from bore holes. He said that riparian rights of the land owners existed prior to the granting of oil leases.

Mr. Larson recalled the early forties (1940) when the leases were being negotiated, and stated that Mr. McCord's request was noteworthy to the Trustees and the people of Florida, many of whom were expressing great concern in the claim of right to explore for all minerals in fills and developed areas along the west coast.

Attorney General Ervin said that his office was working on an opinion disputing Coastal Petroleum Company's claims.

Upon motion by Mr. Larson, adopted without objection, the Trustees referred preparation of an appropriate resolution to the Attorney General.



STATE SALVAGE OR TREASURE LEASE - Real Eight Salvage Company, holder of Lease No. 1329, requested the Trustees to make a division of the recovered relics or of the proceeds from the sale, the lease allowing Trustees to determine which method and to receive 25%. The Director recommended that the Florida State Museum be requested to have one of its curators inventory the relics with authority to make an equitable division, obtain receipt of the lessee for all items allocated to it, and hold Trustees' share subject to their review of the report of division and recommendation as to best disposition.

Upon motion by Mr. Larson adopted without objection, the Trustees approved the recommendations of the Director as the action of the Board.

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CLADES COUNTY - Max Mock applied for permit or lease of 15.26 acres upon the levee lakeward shore within the Herbert Hoover Levee right of way for a fishing camp, trailer parking and commercial use. The applicant and his predecessor had occupied and used the area without authorization for years, no rental having been paid.

By Resolution No. 432 adopted September 9, 1960, Central and Southern Florida Flood Control District requested the Trustees to restrict sale and/or lease of Trustees' lands on or lakeward of existing and proposed levees around Lake Okeechobee. The staff felt that private or commercial use of state land on or lakeward of the levee rights of way was adverse to the interest of the District and United States in their maintenance and other necessary operations, and that in times of flooding loss of life and property might result from such occupation and such risk should not be condoned through issuance of permits or leases.

Upon motion by Mr. Larson, adopted without objection, the Trustees rejected the application and directed that notice be given Mr. Mock requiring the premises vacated within 90 days after delivery of notice, with privilege of removing all improvements to which he was entitled.

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HIGHLANDS COUNTY - The Director recommended issuance of fill permits. applied for by the following upland owners to remove from lake bottoms riparian to their properties fill material to repair storm damage and otherwise improve the applicants' uplands, the State Game and Fresh Water Fish Commission having approved such dredging in Dinner Lake and Lake Letta.

- (1) Dinner Lake - Application by Evelyn A. Jones et al for 350 cubic yards of material to be dredged offshore from Lot 99 of Dinner Lake Subdivision, Sebring, Florida; \$25.00 minimum charge.
- (2) Lake Letta - Application by L. T. and J. R. Carter for 200 cubic yards of material to be dredged offshore from Lot 4 of Lakeside Subdivision; \$25.00 minimum charge.
- (3) Lake Letta - Application by Raymond Dilley for 200 cubic yards of material to be dredged offshore from Lots 5, 6 and 7 of Lakeside Subdivision; \$25.00 minimum charge.
- (4) Lake Letta - Application by Arthur J. Irwin for 200 cubic yards of material to be dredged offshore from Lot 9 of Lakeside Subdivision; \$25.00 minimum charge.
- (5) Lake Letta - Application by William S. Beall for 200 cubic yards of material to be dredged offshore from Lot 10 of Lakeside Subdivision; \$25.00 minimum charge.

Upon motion by Mr. Green, duly adopted, the Trustees approved issuance of permits to the five applicants for the amounts of lake fill material applied for, at the minimum charge of \$25.00 each.

POLK COUNTY - The City of Auburndale requested permit to remove sand from the bottom of Lake Ariana for improvement of a 350-foot beach for public use and for filling in at several spots along the highway which washed out by heavy rains and the hurricane. The State Game and Fresh Water Fish Commission had approved dredging in this lake.

Upon motion by Mr. Green, adopted without objection, the Trustees granted permit without charge to the City of Auburndale.

PALM BEACH COUNTY - A. A. Poston, representing clients, requested the Trustees to advertise 2864.2 acres in Sections 7, 8, 17, 19, 20 of Township 43 South, Range 38 East, for public sale. He stated that there had been many cancellations of leases as the sugar industry had developed and farm land was in demand, but he made no offer.

The land was withdrawn from sale by the Trustees June 2, 1953 anticipating increase in value from the works of the Central and Southern Florida Flood Control District. Several inquiries had been received and the staff had maintained that the land was open for lease only and had asked applicants for suggestions as to lease term, etc. Appraisal was ordered to fix value and to recommend a base bid for annual rental under agricultural lease.

Mr. Green stated that if the land was not needed for state use and a reasonable offer was made, the Trustees should give thought to sale to put the land back into production and on the tax roll, and it could be advertised for competitive sale or lease. Mention was made of difficulties in the case of other leases, and Mr. Ervin and Mr. Larson also indicated that sale should be considered. Mr. Conner suggested that as the owner, the Trustees should get up lease specifications and determine a starting price for lease basis or sale basis.

Upon motion by Mr. Larson, duly adopted, the Trustees instructed the Director to proceed immediately to secure appraisal and set up specifications for possible competitive lease or sale of the land.

#### MISCELLANEOUS

MONROE COUNTY - Corrective Deed, File No. 701-44-253.12. In Trustees Deed No 22573(701-44) dated September 15, 1960, there was a transposition of figures which was shown in the original description furnished by the applicant, and corrective deed was recommended by the Director.

Upon motion by Mr. Green, duly adopted, the Trustees authorized issuance of corrective deed for handling charge of \$10.00.

PINELLAS COUNTY - Quitclaim Deed. Leo Butler, on behalf of A. Waller Smith and wife, applied for quitclaim deed under Section 253.12(1) Florida Statutes to 0.01 of an acre in Clearwater Harbor filled subsequent to May 29, 1951 and prior to June 11, 1957, abutting a submerged area in Section 16, Township 29 South, Range 15 East, conveyed by Trustees in Deed No. 20227 dated November 12, 1952.

Upon motion by Mr. Larson, adopted without objection, the Trustees authorized issuance of quitclaim deed for the minimum deed charge of \$100.00.

PINELLAS COUNTY - Disclaimers. Krentzman & MacKenzie, on behalf of Elnor Archibald Clark and W. R. A. Boben and wife, applied for disclaimers under Section 253.129 Florida Statutes 1957 for lands filled prior to May 29, 1951 being extension of Travatine Island in "The Narrows", said original island being Government Lot 4 of Section 30 and Government Lot 1 of Section 31, Township 30 South, Range 15 East. Information was that the extensions were made by dredging and filling in 1915 and 1917, title to extensions enured to the owners of the island who in recent years made division of the property.

Upon motion by Mr. Green adopted without objection, the Trustees authorized issuance of disclaimers under Section 253.129 to the two present owners for handling charge of \$25.00 for each disclaimer.

SARASOTA COUNTY - Disclaimer. Berry and Cardozo on behalf of Arvida Realty Company applied for disclaimer under Section 253.129 Florida Statutes 1957 to a parcel of land filled in 1926 lying between Government Lot 1 of Section 27, Township 36 South, Range 17 East and City Island of the City of Sarasota, the fill being an extension to said Government Lot 1 then owned by Ringling interests, predecessors in title to Arvida.

Upon motion by Mr. Green, seconded by Mr. Larson and adopted, the Trustees authorized issuance of disclaimer for \$10.00 handling charge.

POLK COUNTY - W. J. Touchton, Secretary of Board of Supervisors of Wahneta Drainage District, submitted recommendation that the Trustees, as Board of Drainage Commissioners of the State under provisions of Section 298.12, appoint Frank M. O'Halloran to succeed himself as Supervisor for a term of three years from and after March 10, 1961, and Joseph E. Owen to succeed himself for a term of one year to continue filling the unexpired term of John B. Thornhill, Supervisor who died on March 31, 1960 and whose term ran to April 13, 1962. No legal election could be had in Winter Haven at the advertised land owners' meeting, there being less than a quorum of land owners present.

Without objection, the Trustees appointed Mr. O'Halloran and Mr. Owen Supervisors of Wahneta Drainage District for the terms as requested.

#### SUBJECTS UNDER CHAPTER 18296

Without objection, the Trustees approved Bidding Report No. 782 listing 1 regular bid for sale of land under the Murphy Act, and authorized issuance of deed pertaining thereto.

MARION COUNTY - The State Road Department requested easement for highway purposes (Sec. 36655-601, State Road S-35) across the East 20 feet of Lot 24, Block "B", H1 Cliff Heights in Section 13 of Township 15 South, Range 22 East, certified to the state under tax sale certificate Nos. 1839 of 1932 and 7703 of 1933.

Upon motion by Mr. Larson, duly adopted, the Trustees approved easement to the State Road Department as requested.

RELEASE OF RESERVATIONS - By Resolution adopted February 23, 1961, effective March 1, the State Road Department imposed \$25.00 charge on all applications affecting Murphy Act lands for release of state road right of way easement printed into the deed forms as a reservation to the State of Florida of any portion of the land within one hundred feet of centerline of any state road existing on the date of the Murphy Act deed. Thousands of the deeds conveyed lands remote from any then-existing state roads and the printed reservation clouded the title of owners who could not make sales or secure loans without releases. In instances where there was a state road within 100 feet of the land when sold by the state, release by quitclaim to the record owner was issued for \$10.00 minimum deed charge by the state through the Trustees as to the portion within 100 feet of the centerline which the Road Department advised the Trustees was not required, but the payment was returned where no release of quitclaim could be issued.

The Attorney General suggested discussion with consideration of a request for continuation of policy followed more than twenty years. The Road Department in 1940 found it impracticable to apply at that time for easements on the Murphy Act lands in advance of selling of the land by the state; the Road Department was the beneficiary and it was pointed out that considerable county and state funds were saved which would have been expended in purchase and condemnation had the



easement been omitted. The February resolution would make the Trustees the fee collecting agent for the Road Department, and the staff suggested that the 20-year procedure heretofore followed might be simplified in some respects since, in essence, the Trustees might cite the date of deed and land description to the Road Department for its advice as to whether no state road existed on the date of the Murphy Act deed or statement as to what portion of the reserved state easement was needed in instances where a state road did exist on the deed date. The only roads affected were state roads existing on the respective deed dates. The Director felt that furnishing of that information by the Road Department to the Trustees was not an unreasonable obligation in consideration of the saving of vast sums in land acquisition. The Director was present when the arrangement was developed between C. J. DeCamps, Engineer of Rights of Way of the Road Department and the Trustees Engineer-Secretary F. C. Elliot, at which time there was full agreement on the plan for release where no state road existed or the reserved easement included more than needed.

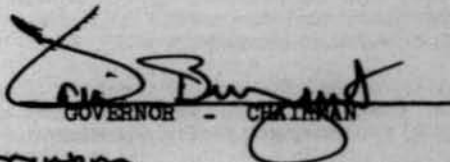
Max Brewer, State Road Board member, explained that a considerable amount of checking in Tallahassee and in the district office by the Road Department had been necessary in processing requests for releases and that the State of Florida should receive adequate compensation from individuals for the easement areas relinquished.

The Attorney General stated that the charge imposed by the Road Department appeared too high and might cost much in good will; that all the Trustees needed was for the Road Department to say whether or not the easement was required.

Governor Bryant suggested that checking by the Road Department need not be in the nature of abstract work for the benefit of the applicant, but that if sufficient information could not be ascertained from the Right of Way Division records in Tallahassee then the reservation should be retained.

The charge imposed by the Resolution of the State Road Department not being received favorably, the staff was not directed to commence collecting and handling fees requested in the Resolution but rather to continue the procedure followed for the past twenty years.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
March 28, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office, in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

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Van H. Ferguson	Director-Secretary
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Without objection, the Trustees approved the minutes of the meetings March 14 and 21, 1961, which were approved by the Attorney General and copies presented to each member.

Governor Farris Bryant expressed the need to preserve the natural resources of the State of Florida, making special mention of the preservation of shoreline (of which Florida has some 8000 miles) regarding which Congressman Charles Bennett will represent Florida at a hearing on a proposed bill in Congress to promote the preservation of certain shoreline areas. The Trustees were concerned at the rate of diminishing state lands, the need for curbing sales, and felt that an evaluation was needed to determine possible public uses of remaining lands. The Governor presented an evaluation and inventory prepared by the Trustees' staff and the state's natural resource agencies covering approximately 417,452 acres, most of which should be guarded for beach recreational areas, boat launching facilities, game preserves, water retention areas, parks and natural history preserves.

Governor Bryant recommended (1) action by the Attorney General's office to clear title to those parcels whose title was clouded or obscure, (2) dedication by Trustees of much of the land to public use in keeping with the recommendations of the inventory with title remaining in the state, and (3) the initiation of a program of land development in which the resources of the state would be supplemented by interested local groups both public and private. He appointed a committee composed of the directors of the Game and Fresh Water Fish Commission, the Department of Conservation, the Park Service and the Forest Service, and requested that they have full support of the staff of the Board members.

In the sale of lands unquestionably surplus he urged careful appraisal to be sure that full value was obtained. Also, he suggested that in the public interest lease agreements should be constantly reviewed.

Motion was made by Attorney General Ervin, seconded by Mr. Larson and adopted, that the minutes reflect the Governor's report on the land inventory, and that it was the consensus of the Board that his recommendations be implemented by the Trustees and the Attorney General's office.

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#### LAND SALES

LEE COUNTY - File No. 807-36-253.12. On February 7, the Trustees considered application of A. L. Buell, abutting upland owner, with offer of the appraised price of \$350.00 per acre for a parcel of sovereign land in the Caloosahatchee River in Section 34, Township 43 South, Range 25 East, containing 11.1 acres, more or less, within the established bulkhead line. The land was advertised for objections only in the Fort Myers News Press, proof of publication filed with the Trustees, and no protests to the proposed sale were received.

Without objection, the Trustees confirmed sale of the advertised parcel to Mr. Buell at the appraised price.

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MONROE COUNTY - File No. 816-44-253.12. On February 7 the Trustees considered offer of the established price of \$425.00 per acre from M. D. Siderius, the abutting upland owner, for purchase of a parcel of submerged land in Florida Bay in Section 32, Township 63 South, Range 37 East, Upper Matecumbe Key, 0.89 of an acre, more or less. The land was advertised for objections only in Florida Keys Keynoter, proof of publication filed with the Trustees, and no protests to the proposed sale were received.

Without objection, the Trustees confirmed sale of the advertised parcel to Mr. Siderius at the established price.

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MONROE COUNTY - File No. 817-44-253.12. On February 7 the Trustees considered offer of the established price of \$300.00 per acre from Aden Blackman and wife, the abutting upland owners, for purchase of a parcel of submerged land in the Straits of Florida in Section 18, Township 63 South, Range 38 East, Plantation Key, containing 1.18 acres, more or less. The land was advertised for objections only in Florida Keys Keynoter, proof of publication filed with the Trustees, and no protests to the proposed sale were received.

Without objection, the Trustees confirmed sale of the advertised parcel at the price offered.

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MONROE COUNTY - File No. 818-44-253.12. On February 7 the Trustees considered offer of the established price of \$300.00 per acre, or \$100.00 minimum, from Phillips Hardware Company, abutting upland owner, for purchase of a parcel of submerged land in Buttonwood Sound in Section 28, Township 61 South, Range 39 East, Key Largo, containing 0.28 of an acre. The parcel was advertised for objections only in Florida Keys Keynoter and proof of publication was filed with the Trustees.

Several objections to the proposed sale were received, A. M. Cunningham and Miss Gladys N. Hurlbert citing damage to the public interest by sale of the land, and the staff recommended deferment.

Without objection, the Trustees deferred consideration of the sale for possible clearing of the objections.

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PASCO COUNTY - File No. 774-51-253.12. On December 27 the Trustees considered application by Gulf Land Enterprises, Inc., abutting upland owner, for 93.0 acres of submerged land in the Gulf of Mexico in Sections 32 and 33 of Township 24 South, Range 16 East lying westerly of and abutting the West 1000 feet of North Quarter of said Section 33, within the established bulkhead line, appraised at \$150.00 per acre. The land was advertised for objections only in the New Port Richey Press, proof of publication filed with the Trustees, and no protest to the proposed sale was received.

Upon motion duly adopted, the Trustees confirmed sale to the applicant at the appraised price.

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PINELLAS COUNTY - File No. 904-52-253.12. Horace Hamlin, Jr., the abutting upland owner represented by Wightman, Rowe and Tanney, made application for two parcels of submerged land appraised at \$500.00 per acre on the west side of the Narrows in Section 12, Township 30 South, Range 14 East in the Town of Indian Rocks Beach, containing 1.65 acres within the established bulkhead line. On February 9 the Pinellas County Water and Navigation Control Authority approved the purchase application subject to commitment made before the Authority that the applicant would convey to the city some 10,000 square feet of land in the southern part of the submerged land tract, would deed back to the city an area for a public boat launching ramp in the northern part of the tract, agreed to provide drainage easement and to grant the municipality right of way for street. The applicant asked for adjustment of price because of those commitments.



The Trustees examined the plat submitted and agreed to require payment for 1.4 acres as recommended by the Director.

Upon motion duly adopted, the Trustees confirmed sale of the 1.65 acre parcel to Mr. Hamlin with payment at the appraised price of \$500.00 per acre for 1.4 acres, taking into consideration the areas committed by the applicant for municipal purposes.

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PINELLAS COUNTY - File No. 905-52-253.12. Referred to the Trustees for formal approval was a bulkhead line established by Pinellas County Water and Navigation Control Authority on March 9, 1961 contingent upon applicants Charles B. Thatcher and wife acquiring title to the submerged land. On the same date the County Authority approved purchase application and dredge-and-fill permit No. PDFB116. The applicants applied to purchase a tract of Sand Key submerged land in Clearwater Harbor in Section 30, Township 29 South, Range 15 East, 23.02 acres within said bulkhead line, appraised at \$1000.00 per acre.

The transcript of county hearing cited willingness of the applicants to give the State Road Department or the City of Clearwater the necessary right of way for access road without cost, and the Authority requested Trustees to make sales contingent upon the applicant providing the necessary land for right of way for road contemplated over this area. The staff recommendation was that sale should be made or rejected on its own merits and that demand not be made on the owner for grant of an indefinite parcel of right of way probably across upland, procurement of right of way being a county matter.

The Attorney General expressed the opinion that the Board could not do otherwise than accede to the county's request and approve sale subject to the right of way condition, that the Trustees had always tried to accommodate local units for public uses.

Upon motion by Mr. Larson, duly adopted, the Trustees approved the bulkhead line as fixed by the county, but referred the application for purchase, dredge and fill to the Attorney General for further study.

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PINELLAS COUNTY - File No. 794-52-253.12. On December 13, 1960 the Trustees confirmed sale of two parcels of submerged land in St. Joseph Sound in Section 27, Township 28 South, Range 15 East within the established bulkhead line to Frederick Chase and J. C. Harrington, contiguous riparian owners, allocation having been made of the submerged area between projections of Washington Street and Tilden Street in mathematical ratio to the water frontages of the two owners, Mr. Chase receiving 1.4 acres and Mr. Harrington 0.78 acres. The staff did not recommend sale within the projection of the streets, considered it impracticable to project streets from upland by converging lines into the Sound, and recommended as equitable the division on the basis of ratio of present private water frontage.

Finch and Mosley, representing Mr. Harrington, declined to accept the division and requested to be heard. Mr. Finch had no objection to the \$1250.00 per acre price but said that the method of prorating the submerged land was unfair and the lot lines should be extended as had been done in past sales.

Attorney General Ervin indicated agreement with the staff division in proportion to the waterfront each applicant owned, and suggested that the matter could be taken to court. It was also suggested that the Board ascertain from the city whether it desired to extend the streets.

Without objection, the matter was referred to the Attorney General for further investigation.

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#### BULKHEAD LINE

ESCAMBIA COUNTY - The City Council of the City of Pensacola submitted three layouts of proposed bulkhead line considered by the Council on March 23, 1961 and drawn by the City Planner. The Council requested the Trustees to consider the three lines and give informal expression of approval for one of the alternative bulkhead lines so that it could be advertised for public hearing as expeditiously as possible. The

area involved included the contemplated application area of John Hoag, discussed by the Trustees last week and at several previous meetings. The three sketches were examined, the Director stating that the staff considered the long circular arc line would be better.

Without committing himself to approve the line when submitted, Attorney General Ervin stated preference for the long curved sweep, as did the Comptroller and the Governor.

Without objection, the Trustees directed Mr. Ferguson to advise the City Council of their informal expression of approval.

#### LEASES

STATE DRILLING LEASES - Attorney General Ervin reported that after careful study of the claims of Coastal Petroleum Company, his office had prepared an opinion (061-50) on the effect of the recent court decision granting lessee, Coastal, holder of drilling leases numbered 224-A, 224-B and 248, exploratory rights for "other minerals" upon sales of sovereignty land by Trustees. Mr. Ervin stated that riparian areas in front of public and private properties needed protection in view of the methods commonly used in exploration for heavy minerals and claim of right to do such exploration on lands, submerged or not submerged, within a bulkhead line without the consent of the owners involved and the necessary permits would be without legal authority and must be rejected.

The Trustees concurred in the opinion of the Attorney General, Mr. Larson explaining that the Board had never considered that granting the oil leases involved other than what could be recovered through bore holes.

Upon motion by Mr. Larson, adopted unanimously, the Trustees adopted the following resolution prepared at the direction of Board.

#### RESOLUTION

WHEREAS, Coastal Petroleum Company is the lessee in three drilling leases executed with the Trustees of the Internal Improvement Fund of the State of Florida, and

WHEREAS, Coastal instituted suit in the Circuit Court in and for Leon County against the Trustees for a legal determination as to the meaning of the words "minerals" and "other minerals" in connection with these leases, which suit resulted in the legal determination that Coastal was entitled to explore for all minerals, and

WHEREAS, this determination by the Circuit Court was later affirmed by the District Court of Appeal and was affirmed by the Supreme Court of Florida by its refusal to take jurisdiction to consider this case, and

WHEREAS, shortly after the Supreme Court refused to hear the case Coastal addressed communication to the Trustees which stated, among other things, the following: "In the light of Judge Taylor's decree, Coastal must challenge any action or interpretation as to its leasehold ownership rights which would tend to place in the state or anyone else, during the term of the lease, as regards any given naturally submerged areas of property covered by the lease other than rights specifically reserved in the leases, such as royalties, and the rights of public boating, bathing and fishing. Judge Taylor's decision was clear as to what the rights of the state are during the term of the lease. The balance of the rights exist in Coastal." and

WHEREAS, Coastal, through its authorized representatives, has made numerous contacts with purchasers of submerged lands adjacent to upland ownership which have been filled in and

developed, indicating their rights under the drilling lease to explore for minerals by whatever means they consider appropriate in these filled in areas, and

WHEREAS, Attorney General Richard W. Ervin has submitted to the Trustees Opinion No. 061-50, dated March 27, 1961, setting forth his conclusions as to the legal matters involved in the relationship of Coastal and the Trustees, and

WHEREAS, this opinion rejects the claim of Coastal to explore for minerals in the areas within the bulkhead lines lawfully fixed, whether filled or submerged, THEREFORE,

BE IT RESOLVED by the Trustees of the Internal Improvement Fund of the State of Florida that they concur and support in full the conclusions as submitted in the Attorney General's opinion referred to above.

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With further reference to state drilling leases, Attorney General Ervin presented resolution commending Mr. J. L. McCord of the Commonwealth Oil Company, and upon motion by Mr. Larson adopted unanimously the Trustees adopted the following:

#### RESOLUTION

WHEREAS, the Trustees of the Internal Improvement Fund of the State of Florida are vested and charged with the administration, management, control, supervision, conservation and protection of certain state lands; and

WHEREAS, the said Trustees in the discharge of this responsibility are authorized to issue oil and gas leases on these state lands; and

WHEREAS, one of the lessees of the Trustees under and by virtue of execution of one of these oil and gas leases is Commonwealth Oil Company which company was one of the pioneers in the exploration and discovery of oil on state lands in Florida; and

WHEREAS, Honorable J. L. McCord was a Vice President of the said Commonwealth Oil Company and a Director of the Independent Petroleum Association of America and in his individual and official capacity he did exercise a salutary influence upon several oil companies who held leases from the Trustees to explore for oil and gas on state-owned lands toward the conclusion that in the preparation of the leases and in the observation of the rules and regulations of the Trustees, both parties to these leases contemplated the recovery of only those minerals which could be captured through a bore hole.

THEREFORE BE IT RESOLVED by the Trustees of the Internal Improvement Fund of the State of Florida that the said Commonwealth Oil Company and J. L. McCord be commended for their diligent efforts to explore for oil and gas upon lands leased from the Trustees;

BE IT FURTHER RESOLVED by the Trustees that Commonwealth Oil Company and other oil companies who hold leases from the Trustees to explore for oil and gas, and who have construed their leases to give them the rights to recover only those minerals which could be captured through a bore hole, be accorded the recognition this action deserves and which the Trustees deem to be a worthwhile contribution to the program for the exploration for oil and gas which has been actively pursued for many years.



DADE COUNTY - The Director recommended approval for the minutes of assignment of sand lease No. 640-A by the lessee Daniels Towing and Drydock, Inc., in favor of Coastal Barge and Towing, Inc., for which executed assignment and acceptance by assignee was filed with new surety bond of assignee superseding the bond of original lessee.

Without objection, the Trustees approved the assignment.

LEE COUNTY - Edison Shell Company, Inc., applied for lease to dredge dead shell from a 67-acre offshore area south and west of Shell Island in the mouth of Caloosahatchee River which was inspected and approved by the State Board of Conservation.

Without objection, the Trustees approved three-year lease with 120-day cancellation clause, royalty of 15¢ per cubic yard, monthly minimum of \$20.00 and surety bond in sum of \$2000.00, as recommended by the Director.

SARASOTA COUNTY - Edison Shell Company, Inc., applied for lease to dredge dead shell in Roberts Bay between Channel Marker 84 at Phillippe Creek and Marker 90 and 500 feet into the creek. The area, inspected and approved by State Board of Conservation, was within rights of way of West Coast Inland Navigation District which waived objection subject to the condition that no obstruction to navigation was left as result of the dredging.

Without objection, the Trustees approved two-year lease with covenant that no obstruction be left and subject to cancellation (a) when notified that the area was needed by the District or (b) upon 120 days written notice by Trustees, royalty of 15¢ per cubic yard, monthly minimum of \$20.00 and surety bond in the sum of \$2000.00, as recommended by the Director.

#### MISCELLANEOUS

DADE COUNTY - On March 14 the Trustees heard proponents and objectors concerning application by Key Biscayne Yacht Club, Inc., for state permits to extend existing piers and to construct and maintain two offshore breakwaters, and action was deferred to allow applicant to secure consent of the objecting upland owners. Applicant submitted proposed revision of the pier and breakwater layout approved by the Coastal Engineering Laboratory, which appeared to eliminate or reduce the objectionable features.

Protests were renewed by H. D. Bernard, Mrs. B. J. Neibert, Frank Weiss and Mrs. Hart. Representing objectors, Attorney Jay Hall stated that even with the proposed revision his clients' riparian rights to unobstructed view across the water would be damaged, as well as the value of their properties, and that construction of the breakwater would create some turbulence.

Representing the applicant, Attorney Jack Madigan, C. G. Rebozo, Commodore of the Yacht Club and C. L. Nelson, engineer, stated that the application represented years of planning for improved yacht facilities endorsed by over sixty people in the area, at considerable expense the revision was worked out to try to eliminate objections from the three owners, the angle of the breakwaters being worked out to best eliminate rebound waves and protect boats from prevailing winds.

Since Mr. Hall did not withdraw his clients' objections and since the tip of one breakwater was in front of Lot 27 owned by an objector, the Trustees expressed the feeling that further adjustment should be made in the layout, and it was suggested that the parties get together with the Trustees' staff to work out a solution. Mr. Hall asked to be advised of all action taken in the matter.

Upon motion by Commissioner Conner as amended by Governor Bryant, seconded and adopted, the Trustees approved issuance of the permits

provided the layout was redesigned subject to approval of the staff consistent with the thoughts expressed by the Board, not permitting invasion of the lot lines, the change to be referred to the Coastal Laboratory for recommendation.

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DUVAL COUNTY - By Resolution adopted March 20, 1961, the City Council of Jacksonville Beach, Florida, requested authority to remove hardpan material from the ocean beach to be replaced with suitable sand from inland (not from the beach foreshore). The area was inspected by the Coastal Engineering Laboratory which recommended that the city be allowed to remove the material, outcroppings of which protruded about a foot above the beach and caused accidents.

Without objection, the Trustees granted the city's request.

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GLADES AND PALM BEACH COUNTIES - Central and Southern Florida Flood Control District requested perpetual easement for right of way for Levee L-48 on northwest shore of Lake Okeechobee over a strip of land 900 feet in width in unsurveyed reclaimed lake bottom lands or submerged lake bottoms in Sections 25, 35 and 36 of Township 38 South, Range 34 East, Sections 3, 9, 10, 35 and 36 of Township 39 South, Range 34 East, and Section 25 of Township 39 South, Range 33 East. The Director recommended granting of the easement for construction, maintenance and operation of canals, levees, roads, parks and recreational area and that the Board also grant to the District right of assignment to other public agencies under license or permit for roads, parks and recreational areas for public uses.

Upon motion duly adopted, the Trustees approved the recommendations of the Director as the action of the Board.

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HIGHLANDS AND POLK COUNTIES - The Director recommended issuance of fill permits applied for by the following upland owners to remove from lake bottoms riparian to their properties fill material to repair storm damage and otherwise improve the applicants' uplands, the State Game and Fresh Water Fish Commission having approved such dredging in both lakes.

- (1) Dinner Lake - Application by H. G. Darroh for 150 cubic yards of material to be dredged offshore from N $\frac{1}{2}$  of Lot 2 and S $\frac{1}{2}$  of Lot 3 of Assembly Point Subdivision at Sebring, Highlands County; \$25.00 minimum charge.
- (2) Dinner Lake - Application by Frank E. Bryant for 150 cubic yards of material to be dredged offshore from Lot 8, Block 1, Assembly Point Subdivision at Sebring, Highlands County; \$25.00 minimum charge.
- (3) Lake Weohyakapka - Application by D. W. Michener for 1000 cubic yards of material to be dredged offshore from Lots 26, 27 and 38 in subdivision of Government Lot 2 of Section 32, Township 30 South, Range 29 East, Polk County; \$50.00 charge.

Upon motion duly adopted the Trustees approved issuance of permits to the three applicants for the amounts of material applied for at the stated charges.

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MARTIN COUNTY - Florida Inland Navigation District requested temporary easement from July 1, 1961 to July 1, 1964, for deposit of spoil from the Intracoastal Waterway on the foreshore at Lots 1 to 32 Jupiter Island to stabilize the beach and combat extreme erosion in the zone. The District filed with the Trustees executed copy of easement obtained from the owner of the lots.

Without objection, the Trustees granted easement requested by Florida Inland Navigation District with clause granting the District the right of assignment to the United States.

MARTIN COUNTY - On March 7, 1960 study and recommendations were made by the Coastal Engineering Laboratory for a proposed application of Ernest Kanzler on behalf of himself and three other owners south of the Beach Club at Jupiter Island. The properties of Weir, Kanzler, Wilson and Stewart formed a continuous unit of shore with seawall, and the Laboratory recommended certain modification of the owners' plans and recommended a surety bond of \$6000.00 and processing fee to include inspection a year later. The groins appear to have been constructed without permits and erosion was reported to be aggravated in the down drift area where the owners had no groins or seawalls, loss estimated at twenty feet of foreshore during the past year, eight feet in the past three weeks.

Mr. Kanzler was notified by registered mail in June and October 1960 and March 4, 1961 urging that he furnish the data for issuance of permit, the last notice advising that in absence of evidence that the groins had been removed or application made for permit before March 20, the matter would be brought to the attention of the Trustees for authorization of legal action.

The Director recommended (1) that new inspection and report be obtained from Coastal Engineering Laboratory to establish facts concerning whether the Kanzler, Weir, Wilson and Stewart groins were improperly designed or installed and whether the erosion suffered by other waterfront owners in the downdrift zone was directly chargeable to the groins in question, and (2) that in the event the damage was caused by the groins which were installed without State Permit the Attorney General be authorized to take appropriate legal action.

Upon motion by Mr. Larson, adopted without objection, the Trustees approved the recommendations of the Director as the action of the Board.

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PINELLAS COUNTY - Without objection, the Trustees formally approved dredge and fill permit No. DFL20 issued by Pinellas County Water and Navigation Control Authority to Frederick B. Shoaff, Jr., as Trustee to fill a parcel of submerged land in St. Joseph Sound in Sections 14 and 15 of Township 28 South, Range 15 East formerly conveyed by the Trustees.

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TRUSTEES FUNDS - Representative Bernie Papy of Monroe County reported on the advance of \$50,000.00 made by Trustees on September 20, 1960 needed by the Board of County Commissioners for emergency work necessary on roads and bridges damaged by the hurricane. Reimbursement had been guaranteed by the County Commission from the State Road Department Secondary Road Funds, and subsequently the county received assistance from civil defense funds and the sum was repaid to the Trustees.

On this date Mr. Papy requested another loan of \$50,000.00 for the same purpose. He explained that his request would be backed up by Resolution from the Monroe County Commission, and that the Trustees would be reimbursed in the same manner as before.

Mr. Larson explained that the Attorney General had checked into the matter before, and that the Trustees were authorized under the law to make such emergency advances for disaster relief.

Upon motion by Mr. Larson, seconded by Mr. Conner and adopted, the Trustees authorized the advance of \$50,000.00 requested by Monroe County for repairs to roads damaged by the hurricane, to be reimbursed from the county road funds and through the civil defense agency.

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CAPITOL AND GROUNDS - Attorney General Ervin requested that Trustees make funds available for installation of conduit required by telephone company in connection with an automatic PABX system. The



following bids were submitted:

Mackey Davis Electric Co., Tallahassee	\$1098.00
Mac's Electric Service of Tallahassee	1425.00
Morgan Electric Company of Tallahassee	1378.00

Without objection, the Board approved use of Trustees' funds in the amount of the low bid, \$1098.00, and directed that installation be supervised by the Director and Engineer of the Capitol Grounds Division of the office of the Secretary of State.

TRUSTEES' BUILDING - Authority was requested for the Board of Commissioners of State Institutions to enter into contract with the low bidder, Bear Construction Company of Tallahassee, in the amount of \$173,575.00, plus \$15,938.00 for Alternate 1 (photostat facility), making a total of \$189,425.00, for the construction of an office building for the Trustees of the Internal Improvement Fund. Robert H. Brown, Jr., architect-engineer of the Board of Commissioners, and Forrest R. Coxen, architect, were present and there was discussion of the proposal to house the Trustees' office and records so as to utilize the basement of the old Rose Printing plant at considerable saving of expense, the building itself having been torn down after survey determined it completely unsuitable. Attorney General Ervin, Comptroller Green and Treasurer Larson approved the building plan but agreed to postponement to allow Governor Bryant to review the matter, since the City Commission expressed local objections and recommended that another site be chosen.

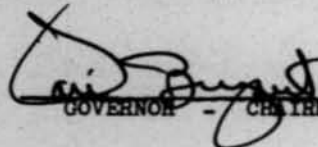
Mr. Ervin said that after review by the Governor, he hoped the construction would be authorized as it appeared that opposition based on aesthetics was not justified, that there had been other departures from the "Taylor Plan" (a long-range development plan set up some years ago for the Capitol Center), that minutes of previous Cabinet meetings did not bear out the impression of some objectors that planning had been done secretly, that for efficiency the Trustees office and records should be housed together in close proximity to the Capitol. Mr. Green stated that the Board had tried to cooperate in improving the Capital City, and he and Mr. Larson recalled that a short time ago the City Commission had expressed no objection when the plan was discussed, and if any other site was considered the city would like to know.

Without objection, the Trustees postponed decision on the proposed building to give the Governor opportunity to review the matter and view other sites suggested by the city officials.

CAPITOL CENTER - Rose Building Basement. Mr. Terry Lee, Coordinator of State Institutions, presented request from Representative Bobby Russ for space in the remodeled basement of the Old Rose Building to house the Journal Room of the House of Representatives during the coming Legislative session.

Without objection, the Trustees granted the request.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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3-28-61

Tallahassee, Florida  
April 11, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

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Van H. Ferguson	Director-Secretary
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Without objection, the Trustees approved the minutes of the meeting on March 28, 1961, which had been approved by the Attorney General and copies presented to each member.

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#### LAND SALES

CHARLOTTE COUNTY - File No. 827-08-253.12. On February 21, 1961 the Trustees considered offer of the appraised price of \$250.00 per acre from Gus M. Cole, abutting upland owner, for purchase of three parcels of submerged land in Placida Harbor in Sections 11 and 12 of Township 42 South, Range 20 East, comprising a total of 30.88 acres, more or less, landward of the established bulkhead line. The parcels were advertised for objections only in the Punta Gorda Herald, proof of publication filed with the Trustees, and no protests to the sale were received.

The Director recommended confirmation of the sale and formal approval of the fill permit granted by the Board of County Commissioners of Charlotte County on November 22, 1960 to fill the application area which was designated as spoil area for deposit of material to be removed by works of the West Coast Intracoastal Waterway.

Without objection, the Trustees confirmed sale to the applicant and approved the fill permit granted by Charlotte County.

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CHARLOTTE COUNTY - File No. 828-08-253.12. On February 21, 1961 the Trustees considered offer of the appraised price of \$250.00 per acre from Bert L. Cole, abutting upland owner, for purchase of three parcels of submerged land in Placida Harbor in Section 12, Township 42 South, Range 20 East, comprising a total of 27.13 acres, more or less, landward of the established bulkhead line. The parcels were advertised for objections only in the Punta Gorda Herald, proof of publication filed with the Trustees, and no protest to the sale was received.

The Director recommended confirmation of the sale and formal approval of the fill permit granted by the Board of County Commissioners of Charlotte County on November 22, 1960 to fill the application area which was designated as spoil area for deposit of material to be removed by works of the West Coast Intracoastal Waterway.

Without objection, the Trustees confirmed sale to the applicant and approved the fill permit granted by Charlotte County.

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CHARLOTTE COUNTY - File No. 829-08-253.12. On February 21, 1961, the Trustees considered offer of the appraised price of \$250.00 per acre from Ralph M. Cole, abutting upland owner, for purchase of a parcel of submerged land in Placida Harbor in Sections 11 and 12 of Township 42 South, Range 20 East, containing 4.09 acres, more or less, landward of the established bulkhead line. The parcel was advertised for objections only in the Punta Gorda Herald, proof of

4-11-61

publication filed with the Trustees, and no protests to the sale were received.

The Director recommended confirmation of the sale and formal approval of the fill permit granted by the Board of County Commissioners of Charlotte County on November 22, 1960 to fill the application area which was designated as spoil area for deposit of material to be removed by works of the West Coast Intracoastal Waterway.

Without objection, the Trustees confirmed sale to the applicant and approved the fill permit granted by Charlotte County.

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CHARLOTTE COUNTY - File No. 830-08-253.12. On February 21, 1961 the Trustees considered offer of the appraised price of \$250.00 per acre from Clyde Nabors, the abutting upland owner, for purchase of a parcel of submerged land in Placida Harbor in Section 11, Township 42 South, Range 20 East containing 4.2 acres, more or less, landward of the established bulkhead line. The parcel was advertised for objections only in the Punta Gorda Herald, proof of publication filed with the Trustees, and no protests to the sale were received.

The Director recommended confirmation of the sale and formal approval of the fill permit granted by the Board of County Commissioners of Charlotte County on November 22, 1960 to fill the application area which was designated as spoil area for deposit of material to be removed by works of the West Coast Intracoastal Waterway.

Without objection, the Trustees confirmed sale to the applicant and approved the fill permit granted by Charlotte County.

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CHARLOTTE COUNTY - File No. 831-08-253.12. On February 21, 1961 the Trustees considered offer of the appraised price of \$250.00 per acre from Cape Haze Corporation, abutting upland owner, for purchase of a parcel of submerged land in Placida Harbor in Sections 2 and 11 of Township 42 South, Range 20 East, 3.98 acres, more or less, landward of the established bulkhead line. The parcel was advertised for objections only in the Punta Gorda Herald, proof of publication filed with the Trustees, and no protest to the sale was received.

The Director recommended confirmation of the sale of the area planned for deposit of spoil material.

Without objection, the Trustees confirmed sale to the applicant at the appraised price.

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DUVAL COUNTY - File No. 821-16-253.12. On February 21, 1961 the Trustees approved the bulkhead line and authorized advertisement of a parcel of submerged land in the Broward and St. Johns Rivers lying westerly and southwesterly of and abutting lands in Sections 19, 23, 24 and The Webb Place of the Subdivision of the John Broward Grant, Section 46, Township 1 South, Range 27 East, containing 42.35 acres, more or less. Offer of \$250.00 per acre was made by St. Regis Paper Company, abutting upland owner. The land was advertised for objections only in the Florida Times Union, Jacksonville, Florida, proof of publication filed with the Trustees, and no protest to the sale was received.

The Director advised that \$250.00 per acre was an adjusted price, appraisal in the area being considered insufficient.

Without objection, the Trustees confirmed sale to the applicant at the adjusted price.

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HILLSBOROUGH COUNTY - File No. 823-29-253.12. On February 21, 1961 the Trustees considered application by Flora Sun Corporation (formerly Apollo Beach, Inc.), the abutting upland owner, for purchase



of two parcels of submerged land in Tampa Bay in Sections 16 and 17 of Township 31 South, Range 19 East, one parcel containing 1.15 acres and the other, 84.73 acres, or a total of 85.88 acres more or less within the established bulkhead line, for which offer of \$125.00 per acre was made. The Director stated that this was the appraised price paid for the adjoining land previously sold to Apollo Beach, Inc., and that a portion of the area had been withheld from the original sale until settlement of a squatter's claim. He recommended confirmation of the sale and approval of the fill permit granted by Hillsborough County.

The land was advertised for objections only in the Tampa Tribune, proof of publication filed with the Trustees, and no protest to the sale was received.

Without objection, the Trustees confirmed sale of the two parcels at \$125.00 per acre, and formally approved the fill permit granted by Hillsborough County.

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MANATEE COUNTY - File No. 800-41-253.12. On February 21, 1961 the Trustees considered offer of the appraised price of \$400.00 per acre from John M. Brennan and wife, the abutting upland owners, for purchase of a parcel of submerged land in Palma Sola Bay in Section 31, Township 34 South, Range 17 East, 1.19 acres, more or less, within the established bulkhead line. The parcel was advertised for objections only in the Bradenton Herald, proof of publication filed with the Trustees, and no protest to the sale was received.

Without objection, the Trustees confirmed sale to the applicant at the appraised price.

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MONROE COUNTY - File No. 814-44-253.12. On February 21, 1961 the Trustees considered offer of the established price of \$425.00 per acre from L. L. Bucklew, Jr., abutting upland owner, for purchase of a parcel of submerged land in the Bay of Florida in Section 28, Township 63 South, Range 37 East, Upper Matecumbe Key. The land was advertised for objections only in the Key West Citizen, proof of publication filed with the Trustees, and no protest to the sale was received.

Without objection, the Trustees confirmed sale to the upland owner at the price offered.

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MONROE COUNTY - File No. 783-44-253.12. On January 10, 1961 action was deferred on application of Producers, Inc., and Paul Schmitt, abutting upland owners who offered the established price of \$300.00 per acre for purchase of two tracts of submerged land in Section 18 of Township 63 South, Range 38 East, and Section 13 of Township 63 South, Range 37 East, Plantation Key, containing a total of 6.93 acres, more or less.

Abiah A. Church advised the Trustees' office that his objection had been resolved by agreement between the parties, copy filed with Trustees.

Without objection, the Trustees confirmed sale of the advertised land to the applicant at the established price.

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PALM BEACH COUNTY - File No. 813-50-253.12. On February 21, 1961 the Trustees considered application by T. J. Jarvinen and wife, abutting upland owners, with offer of the appraised value of \$1925.00 per acre for two parcels of submerged land in Lake Worth in Section 34, Township 44 South, Range 43 East, 0.283 of an acre in the Town of Lantana landward of the established bulkhead line. The land was advertised for objections only in the Palm Beach Post, proof of publication filed with the Trustees, no protest to the sale received, and Central and Southern Florida Flood Control

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District waived objections to the proposed sale.

The Director explained that one parcel was easterly of and butting Lot 10 of Block 1, the second parcel was easterly of and abutting Lot 14 of Block 2, Lake View Manors, Plat Book 18, Page 29 of Palm Beach County Public Records, and that the Town of Lantana by Resolution B-S-61 adopted on February 24, 1961 requested dedication for public street purposes of 0.04 of an acre of submerged land, being the extension of Lakeview Avenue to the waters' edge of Lake Worth between the two parcels applied for by Mr. Jarvinen.

Mr. Jarvinen called attention to the fill permit granted on January 25, 1961 by the Town of Lantana for filling the two parcels and the right of way, and he requested approval by the Trustees.

Without objection, the Trustees confirmed sale to the applicants of the two parcels at the appraised price, formally approved the fill permit granted by the Town of Lantana, and also authorized dedication to the Town of Lantana for public street purposes of the parcel of submerged land for extension into Lake Worth of the existing right of way of Lakeview Avenue.

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PINELLAS COUNTY - File No. 794-52-253.12. On March 28, 1961 the Trustees referred to the Attorney General the allocation of 2.18 acres of submerged lands in St. Joseph Sound in Section 27, Township 28 South, Range 15 East between the established bulkhead line and the respective uplands of Frederick Chase and J. C. Harrington, contiguous riparian owners. Sales were approved December 13, 1960 based on apportionment of the submerged land in direct ratio to the upland frontage on St. Joseph Sound, however Mr. Harrington, represented by Finch and Mosley, was unwilling to accept the allocation.

The Attorney General by memorandum dated April 3, based on review of the file and applicable law, found that the allocation upon which sales were approved on December 13 was a reasonable distribution and that the applicants should abide by it.

Upon motion duly adopted the Trustees affirmed for the minutes the confirmation of sales on December 13, 1960, Mr. Chase receiving 1.4 acres and Mr. Harrington 0.78 acres, based on the price of \$1250.00 per acre.

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PINELLAS COUNTY - File No. 905-52-253.12. On March 28, 1961 the application by Charles B. Thatcher and wife, riparian upland owners, for purchase of a tract of submerged land in Clearwater Harbor adjacent to Sand Key, Section 30, Township 29 South, Range 15 East, within the established bulkhead line, was referred to the Attorney General for his review of the hearing at the county level and the Pinellas County Authority's recommendation of sale contingent upon applicant providing rights of way for a contemplated road, the requirements of which had not been determined. The staff had suggested that the Trustees not make demand on the applicant to convey to the county or the State Road Department a strip of land the description of which would be unknown at the time of the sale.

The Attorney General found that the Trustees might properly recognize the fact that a voluntary commitment was made to the County Authority by an authorized representative of applicants to provide the necessary right of way without cost and that the sale could be confirmed upon condition, to be shown in the minutes and recited in the deed, that applicants comply with the commitment made by their authorized representative to provide the necessary rights of way at the proper time.

The Director recommended confirmation of the sale at the appraised value of \$1000.00 per acre on the basis suggested by the Attorney General; also, he recommended formal approval of dredge and fill permit No. PDFB116 granted by the County Authority on March 9, 1961.

Upon motion adopted the Trustees confirmed sale to the riparian upland owners at the appraised price, upon condition (to be shown in deed)

that the applicants comply with their commitment to provide the necessary right of way without cost at the proper time. Also, the Trustees formally approved the dredge and fill permit as approved by Pinellas County Water and Navigation Control Authority on March 9, 1961.

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#### APPLICATIONS TO PURCHASE LAND

BREVARD COUNTY - File No. 832-05-253.12. Vacation Land, Inc., abutting upland owner represented by H. C. Kirk, offered the appraised price of \$700.00 per acre for a parcel of submerged land in the Indian River in Section 26, Township 22 South, Range 35 East, 7.7 acres within the established bulkhead line. There was discussion of the Trustees' policy of having lands appraised, and the Director stated that licensed appraisers in the areas were used. The Attorney General expressed the opinion that the Board had two interests - to sell or not, and if sale was made to get a fair value for the state taking into consideration that sale could be made only to the upland riparian owner.

Upon motion duly adopted the Trustees authorized the parcel advertised for objections only, based on offer of the appraised price.

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DADE COUNTY - File No. 639-13-253.12. Dr. R. F. Farrington for himself and Lottie E. Tanner, abutting upland owners, applied to purchase two contiguous parcels of submerged land in Biscayne Bay containing 0.643 of an acre within the established bulkhead line abutting uplands in Section 38 of Township 54 South, Range 41 East. The appraised price of the area was \$7,065.00 per acre.

Upon motion duly adopted, the Trustees authorized the land advertised for objections only, based on offer of the appraised price.

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MONROE COUNTY - File No. 847-44-253.12. E. E. Rullman, Sr., et al, as Trustees, abutting upland owners, offered the established price of \$250.00 per acre for a parcel of submerged land in the Straits of Florida in Section 8, Township 66 South, Range 33 East, 1.65 acres at Key Colony Beach. Attention was called to the plat which showed what appeared to be an undesirable extension, creating a pocket in front of other ownerships, and Governor Bryant asked that further investigation be made on the application.

Without objection, the Trustees deferred action for further checking by the staff.

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MONROE COUNTY - File No. 906-44-253.12. B. H. Oliver, Jr., and wife, abutting upland owners, offered the established price of \$425.00 per acre for a parcel of submerged land in Niles Channel in Section 36, Township 66 South, Range 28 East, 0.65 of an acre at Summerland Key.

Upon motion duly adopted, the Trustees authorized the parcel advertised for objections only, based on offer of the established price.

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MONROE COUNTY - File No. 911-44-25. 12. Howard P. Bonebrake and wife, abutting upland owners represented by G. A. Crawshaw, offered the established price of \$300.00 per acre for a parcel of submerged land in the Straits of Florida in Section 5, Township 63 South, Range 38 East, 4.3 acres at Plantation Key.

Upon motion duly adopted, the Trustees authorized the land advertised for objections only, based on offer of the established price.

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MONROE COUNTY - File No. 913-44-253.12. Doug Tower, Inc., abutting upland owner represented by G. A. Crawshaw, offered the established price of \$250.00 per acre for purchase of a parcel of submerged land



in the Straits of Florida in Section 29, Township 60 South, Range 40 East, Key Largo, containing 2.2 acres.

Upon motion duly adopted, the Trustees authorized the land advertised for objections only, based on offer of the established price.

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PALM BEACH COUNTY - File No. 910-50-253.12. Samuel Manalan and Florents, Inc., abutting upland owners represented by Brockway, Weber and Brockway, applied for (a) disclaimer under Section 253.129 Florida Statutes 1957 to an area in West Palm Beach in Section 15, Township 43 South, Range 43 East, containing 0.008 of an acre; and (b) deed to those submerged lands in Lake Worth in Section 15, Township 43 South, Range 43 East lying easterly of and abutting the parcel in (a) above, outward to the established bulkhead line, containing a total of 0.052 acre, for which offer was made of the appraised price of \$10,046.73 per acre, subject to advertisement for objections only. Separate disclaimers and deeds were requested, each for one-half of the lands under (a) and (b).

Without objection, the Trustees approved issuance of disclaimer to each applicant as requested for \$10.00 each, and authorized advertisement of the 0.052 acre parcel for objections only based on offer of the appraised price.

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#### BULKHEAD LINES

PINELLAS COUNTY - Referred to the Trustees for approval was bulkhead line established on October 13, 1960 by Pinellas County Water and Navigation Control Authority at the request of the City of St. Petersburg for a portion of the shore line in St. Petersburg lying between 18th Avenue North and the northerly city limit line in Tampa Bay. Proof of publication and transcript of the county hearing were filed with the Trustees. The staff recommended approval of all lines between 18th Avenue North and 38th Avenue North as extended in Tampa Bay and also the lines fixed in Papy's Bayou, Bayou Grande and Riviera Bay and connecting and inland thereto. The line was coordinated in location in Tampa Bay with the bulkhead line fixed for Venetian Isles southerly of Papy's Bayou.

Attention was called to the portion of bulkhead line projecting easterly to and beyond the southerly tip of Ross Island and northerly in Tampa Bay to the north city limits bulkhead line. The State Board of Conservation called attention to several important marine life areas in the vicinity of Ross and Weedon Islands within that unit of the bulkhead line, and in the event the unit in the conservation area was not approved the staff recommended approval of all lines except that portion.

The Trustees examined the map submitted and agreed that areas rich in marine grass should be protected for fish breeding grounds when practicable. Governor Bryant suggested that the Trustees withhold approval of that portion of the line.

Without objection, the Trustees formally approved the bulkhead lines established on October 13, 1960 by Pinellas County Water and Navigation Control Authority for the City of St. Petersburg except the unit commencing at the point of tangency just east of the west line of Section 34, Township 30 South, Range 17 East to the north city limits bulkhead line, withholding approval without prejudice until further showing was made of preservation of conservation values in that area.

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PINELLAS COUNTY - The Director recommended formal approval of the bulkhead line established by Pinellas County Water and Navigation Control Authority on February 9, 1961 at the request of the City of Indian Rocks Beach, being an additional bulkhead line in the municipal limits of the City of Indian Rocks Beach, in The Narrows. Proof of publication and transcript of the county hearing were filed with the Trustees.

The Trustees examined the map submitted and without objection formally approved the bulkhead line as approved on February 9, 1961 by Pinellas County Water and Navigation Control Authority.

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MISCELLANEOUS

STATE SALVAGE LEASE NO. 1329 - Pursuant to action of the Trustees on March 21st, the Director reported that the relics recovered by Real Eight Salvage Company under Lease No. 1329 were inventoried, evaluated in terms of cash and research value, and division made by Drs. W. H. Sears and J. M. Goggin of the Florida State Museum, and accepted by Kip Wagner on behalf of the lessee firm. The recovered relics aggregated a cash value of \$1329.90 with research value estimated at \$1543.90., and retained as the Trustees' share (25%) were all items of research value plus certain coins. Dr. J. C. Dickinson, Jr., Director of Florida State Museum, requested that the Museum be designated as the state depository for this collection and other of similar historical importance which might accrue to the state through salvage leases.

The Director recommended that the Trustees allow the materials to be preserved and displayed by the Museum subject to title remaining in the Trustees and subject to withdrawal in the event the Trustees determined other disposition would be necessary or desirable.

Without objection, the Trustees accepted the report and approved the recommendations of the Director as to display of the relics in the State Museum, title remaining in the Trustees.

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DADE COUNTY - The Florida Inland Navigation District on behalf of the United States requested a perpetual easement for spoiling purposes covering three areas over submerged bottoms of Biscayne Bay in Sections 14, 22, 23 and 27 of Township 52 South, Range 42 East adjacent to the Graves Tract, which tract would become part of the Inter-American Center in Miami. The three areas would be substitutes for easements to be released, therefore it was recommended that the instrument run directly to the U. S. A.

Without objection, the Trustees authorized perpetual easement as requested.

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DADE COUNTY - File No. 396-13-253.129. W. Turner Wallis and Associates on behalf of Bay Park Towers, Inc., applied for disclaimer under Section 253.129 Florida Statutes to a parcel of sovereign lands, in Section 30, Township 53 South, Range 42 East, City of Miami, containing 0.9 of an acre filled prior to June 11, 1957.

Upon motion duly adopted, the Trustees approved issuance of the disclaimer to the present record owner of the parcel for \$10.00 charge.

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PALM BEACH COUNTY - On January 24, 1961 the Trustees authorized a perpetual dedication for the use and benefit of the United States for right of way purposes for Intracoastal Waterway in the Jupiter River. The instrument was recorded in the public records of Palm Beach County, and subsequently it was determined that the description furnished to the staff contained an erroneous bearing.

Without objection the Trustees approved issuance of a corrective instrument.

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PALM BEACH COUNTY - Harry Johnston, on behalf of the Board of County Commissioners of Palm Beach County, presented County Resolution adopted February 13, 1961 requesting conveyance of submerged land in Lake Worth for park purposes. On the plat submitted the Director pointed out the 3.673 acre parcel in Section 27-42-43 previously conveyed to the county for park use (Deed No. 19581), the adjacent

3.4 acres desired for enlarging the park and also another parcel of adjacent land which the Trustees indicated willingness to dedicate when the county secured written consent of lot owners east of the area.

Without objection, the Trustees approved dedication of the parcel containing 3.4 acres, more or less, for public park purposes and also granted the county authority to receive available spoil material for filling the parcel.

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PINELLAS COUNTY - Request was made on behalf of the County Health Department for authorization to the Director, in event exercise of the authority became necessary, for 30-day written notice to the United States Department of the Interior, Fish and Wildlife Service, holder of Lease No. 701 dated January 18, 1956 for cancellation of said lease as to Bush Key in event the Wildlife Service refused to permit anti-mosquito activities in the zone by the county. The Key was granted to the county by Chapter 30400 Acts of 1955 with provision allowing the Trustees to lease to the U. S. for wildlife refuge. The lease would expire in 1966 but provided for cancellation by Trustees on 30-days written notice.

Without objection, the Trustees granted the authorization to the Director as requested.

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PINELLAS COUNTY - In meeting January 17, 1961 the Trustees authorized issuance of perpetual spoil easement to the United States for construction of the Intracoastal Waterway through Pinellas County. It was determined that three of the separate parcels included in the easement encroach upon areas of submerged land previously conveyed by the Trustees. The District Engineer, through the West Coast Inland Navigation District, advised that it would take approximately ten weeks to secure quitclaim from the Secretary of the Army releasing the three areas but in the interval he requested that Trustees authorize an easement for three substitute areas.

Without objection, the Trustees authorized issuance of the new perpetual spoil easement to the United States covering three substitute areas.

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PINELLAS COUNTY - Without objection, the Trustees authorized issuance of State Permit to Harold Russello for \$100.00 processing fee for construction and maintenance of a floating marina to be attached to his upland fronting Anclote River for which permit was issued by Pinellas County Water and Navigation Control Authority and written consent of the adjacent upland owners was filed.

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PINELLAS COUNTY - Request was made on behalf of the Bank of Clearwater as Trustee for formal approval of Permit to Dredge and Fill No. DF134 issued February 23, 1961 by Pinellas County Water and Navigation Control Authority. Proposed fill would be between the established offshore bulkhead line and the mean high water line of applicants upland at Indian Rocks Beach South Shore in The Narrows. Applicant acquired the submerged land in front of Lots 7 and 8 of Cook's Replat but not in front of upland Lots 2 and 4 of Bosworth's Subdivision nor in front of the South 115 feet of Lot 2 of Indian Pass Beach, on the upland, however filling in front of all was proposed.

The U. S. meander was offshore beyond the bulkhead line and each of the above subdivisions were platted beyond the mean high water line to the bulkhead line. Permit DF134 was issued for filling of submerged land actually owned by applicant and after the local hearing and permit issued it was found that the Trustees had not conveyed all of the areas between the mean high water line and bulkhead line. Applicant has informally offered to make application to the County Authority for approval of purchase at the appraised price of \$500.00 per acre but indicated that credit or reduction would be sought by reason of assessment and payment of taxes on the lots platted beyond the water line. About three acres would need to be purchased.



The Trustees' staff declined to recommend approval of the permit to fill until purchase was completed, however the Attorney General called attention to the fact that authorization of fill permit by the County Authority was indicative that the County Authority might not object to sale of the area included in its fill permit. The permit as issued would allow private dredging from the portion of the Intracoastal Waterway directly in front of the subject area, or allow the project contractor engaged in dredging the Waterway to place spoil on the submerged land.

Without objection conditional approval was given to the fill permit provided that no filling be done until the applicant had filed application to purchase in proper form with the County Authority with copy to the Trustees, and the Trustees directed that any allowance in purchase price in recognition of payment of taxes on the area beyond the mean high water line be limited to the prorata part shown to have been paid on the area sought to be purchased, and that the purchase money should be tendered to the Trustees simultaneously with the filing of the purchase application.

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HIGHLANDS AND POLK COUNTIES - The Trustees approved issuance of fill permits applied for by the following upland owners to remove from lake bottoms riparian to their properties fill material to repair storm damage or otherwise improve their uplands, the State Game and Fresh Water Fish Commission having approved dredging in the following lakes under permit provisions.

- (1) Lake Lotela, Highlands County - H. J. Hahn, applicant. 235 cubic yards to be dredged offshore from Lot 14 of Tract A, Replat of Pinecrest Lake-Pinecrest Lakes Country Club-Holly Shores; \$25.00 minimum charge.
- (2) Lake Lotela, Highlands County - C. A. Straubel, applicant. 480 cubic yards to be dredged offshore from Lots 2, 3 and 4 of Block P, Price & Gorum Addition, Section 26, at Avon Park; \$25.00 minimum charge.
- (3) Lake Placid, Highlands County - G. W. Shackelford, applicant. 500 cubic yards to be dredged offshore from upland property on the east side of the lake; \$25.00 minimum charge.
- (4) Crooked Lake, Polk County - R. H. Langford, applicant. 450 cubic yards to be dredged offshore from Lots 32 and 33, Crescent Beach Subdivision; \$25.00 minimum charge.
- (5) Lake Buffum, Polk County - Dr. S. A. and Irene H. Lindsey applicants. 5,000 cubic yards to be dredged offshore from SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 12, Township 31 South, Range 26 East; \$250.00 charge.

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ISLANDS WHICH FORMED OR EMERGED ON SUBMERGED OR TIDAL SOVEREIGNTY LANDS

On March 21, 1961 the Trustees requested the Attorney General to prepare appropriate Resolution directed to all of the Florida delegation in Congress concerning recent decision of the Bureau of Land Management whereunder title was asserted for or in the name of the United States to islands which were construed as having formed or emerged on sovereignty lands since 1845 and prior to 1953.

Upon motion duly adopted, the Trustees adopted the following Resolution and directed its inclusion in these minutes:

RESOLUTION

WHEREAS, the Trustees of the Internal Improvement Fund of the State of Florida are vested with title to certain state lands, including all sovereignty lands, and charged with the administration, management, control, supervision, conservation and protection of these lands, and

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WHEREAS, the Director of the Bureau of Land Management of the United States Department of Interior has issued a ruling which asserts title in the United States to certain islands offshore from the lower west coast of Florida, but within three marine leagues of the shoreline, which ruling was published in the Federal Register of November 17, 1960, at page 10,954, and

WHEREAS, the Trustees are advised that a large number of properties in the State of Florida will be affected if this ruling by the Bureau of Land Management is held to be valid, and

WHEREAS, the Trustees deny the validity and the legality of this ruling by the Bureau of Land Management in asserting title to the islands above described, THEREFORE,

BE IT RESOLVED that the Trustees of the Internal Improvement Fund of the State of Florida do hereby assert that the Submerged Lands Act, page 65, Public Law 31, H. R. 4198, approved May 22, 1953, did confirm in the State of Florida all filled-in, made, and reclaimed lands which formerly were beneath navigable waters and that this confirmation of title in the State of Florida confirmed lands which had been created by the efforts of man, as well as all naturally-made lands within the coastal belt as described in the Submerged Lands Act.

BE IT FURTHER RESOLVED that the Trustees, by copy of this Resolution, addressed to the members of the Florida Congressional Delegation, urgently request that they exercise their good offices with the Bureau of Land Management of the Department of Interior to secure a review of the ruling herein referred to which asserted title in the United States to those certain islands off the lower west coast of the State of Florida heretofore described and that upon making such review that the Bureau of Land Management be strongly urged to disclaim title to said islands as being in the United States and confirm the title to these islands in the State of Florida, and

BE IT FURTHER RESOLVED that the Trustees respectfully suggest that such a course of action will prevent expensive and needless litigation in connection with the title problems involved in this area of controversy, and

BE IT FURTHER RESOLVED that the Trustees express to United States Senators Spessard L. Holland and George A. Smathers the sincere thanks and gratitude of the citizens of the State of Florida for the able and energetic representations already made to the Bureau of Land Management in behalf of the claims being asserted by the Trustees to these islands, and

BE IT FURTHER RESOLVED that the Trustees express to the Members of the Florida Delegation in the House of Representatives, Honorable William C. Cramer, Honorable Charles E. Bennett, Honorable Bob Sikes, Honorable Dante B. Fascell, Honorable A. S. (Syd) Herlong, Honorable Paul G. Rogers, Honorable James A. Haley and Honorable D. R. Matthews, the sincere thanks and gratitude of their fellow citizens of Florida for the valuable contribution which will be made by these Honorable Congressmen toward the satisfactory and favorable solution of the problem facing the Trustees affecting the title to these islands or land areas.

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TRUSTEES' FUNDS - Renovation of House of Representatives Chamber and Offices; Joint action by Trustees and Board of Commissioners of State Institutions.

Robert H. Brown, Jr., architect-engineer of Board of Commissioners of State Institutions, with approval of and making the presentation for the Speaker of the House William V. Chappell, Jr., requested approval for payment from Trustees' funds for additional changes in alterations to the House Chamber and offices (Change Order No. 5) which were necessary because of structural conditions and improvement in functioning required to complete the whole job. In addition to the contract authorized by the Trustees on September 13, 1960 in the amount of \$288,400.00, Mr. Brown reported a number of items had

been combined in change order No. 5 in the amount of \$11,133.24 which, with previously approved change order No. 1 in the amount of \$2,963.20, made the total addition by change orders \$14,096.44 or slightly less than 5% of the original contract.

Answering Government Bryant's questions, Mr. Brown explained that he had not questioned the changes and additions the House of Representatives wanted but had checked details and low bids before the work was authorized, that it was an extensive remodeling program with many changes caused by the structures of the building, that many contracts included a contingency fund to take care of such items and that changes adding up to 5% of the original contract were not unusual in large jobs. He advised that some further additional items were yet to come in, estimated at about two thousand dollars, which he would check carefully and present for approval. The Trustees were also asked to approve an extension of time for completion of the contract work to March 31, 1961, the date the work was actually completed.

Upon motion adopted without objection, the Board in joint action as Trustees of Internal Improvement Fund and Board of Commissioners of State Institutions approved the extension of time to March 31st and authorized payment from Trustees funds to cover the amount specified in the request.

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TRUSTEES' FUNDS - "Equipment for State Office Building Projects  
Director.

Comptroller Green presented request from William F. Armstrong, State Office Building Director of the Board of Commissioners of State Institutions, for approval to purchase a new 17-inch Pica Electric Typewriter, IBM, priced at \$425.00. The purchase would be in accordance with the price regulations on file with the State Purchasing Commission. It was explained that the longer carriage machine was needed, and that the 12-inch typewriter previously purchased with Trustees' funds was available for trade-in or other use.

The Director suggested that the new typewriter be purchased but that the one now in use be transferred to the Trustees' office for use there.

Without objection, the Trustees authorized payment from Trustees' funds for the 17-inch IBM typewriter requested for use in Mr. Armstrong's office.

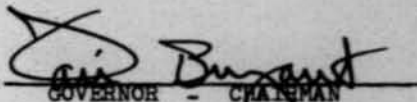
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SUBJECTS UNDER CHAPTER 18296

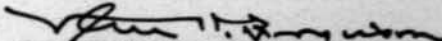
Without objection, the Trustees approved Report No. 783 listing four regular bids for sale of lands under the Murphy Act, and authorized issuance of deeds corresponding thereto.

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Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:

  
DIRECTOR - SECRETARY

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4-11-61



Tallahassee, Florida  
April 18, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Ray E. Green	Comptroller
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

Van H. Ferguson

Director - Secretary

LEE COUNTY - Presented for consideration was application by Sunset Realty Corporation for purchase at \$40.00 per acre (January 1956 appraisal) of 75 acres of submerged land in Gasparilla Sound in Sections 11 and 12, Township 43 South, Range 20 East, riparian to applicant's upland on Gasparilla Sound, less 2.7 acre submerged parcel shown as Government Lot 1 of said Section 11, all West of Intracoastal Waterway right of way. The land was part of a tract advertised for objections only for sale May 22, 1956, to which protest was filed by O. H. Lobean as claimant of the submerged parcel shown as Government Lot 1 under a Murphy Act deed. The Trustees confirmed sale of all of the advertised land except the "portion covered by protest from Mr. Lobean", but on June 5, 1956 the Trustees' attention was directed to the fact that the Lobean parcel was submerged land and the objection was overruled with order for the deed to be held thirty days. Litigation ensued in which the Lobean claim of the submerged parcel was established, and the deed prepared in 1956 but not delivered was now requested to be delivered.

The Director advised that no riparian rights appeared to attach to the submerged Lobean parcel, nor did ownership of the submerged land include any pre-emptive right to acquire additional submerged land. Access to the Lobean parcel was by water only and the Attorney General concurred in the staff's proposal that the northerly 100 feet of the submerged land in Section 11, Township 43 South, Range 20 East between the Lobean parcel and Intracoastal Waterway right of way should be dedicated for public waterway purposes only to assure access to the Lobean parcel and that the June 5, 1956 confirmation of sale be amended and reaffirmed, subject to the public easement dedication.

Upon motion by Comptroller Green, duly adopted, the Trustees accepted the recommendations and authorized dedication for public waterway purposes only the northerly 100 feet of the submerged land in Sections 11 & 12, Township 43 South, Range 20 East, between the Lobean parcel and Intracoastal Waterway right of way and reaffirmed the June 5, 1956 confirmation of sale subject to the public easement dedication.

MONROE COUNTY - File No. 730-44-253.12. Elmer H. White, abutting upland owner represented by E. B. McCarthy, offered the established price of \$425.00 per acre for a parcel of submerged land in the Bay of Florida in Section 21, Township 64 South, Range 36 East, Lower Matecumbe Key, containing 0.65 of an acre.

Upon motion duly adopted, the Trustees authorized advertisement of the parcel for objections only.

MONROE COUNTY - File No. 847-44-253.12. E. E. Rullman, Sr., et al, as Trustees, the abutting upland owners, offered the established price of \$250.00 per acre for a parcel of submerged land in the Straits of Florida in Section 8, Township 66 South, Range 33 East, Key Colony Beach, containing 1.65 acres. The Trustees examined the large base map upon which the proposed sale did not appear contrary to the public interest, while allowing private development.

Upon motion duly adopted, the Trustees authorized advertisement of the parcel for objections only.

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HILLSBOROUGH COUNTY - File No. 917-29-253.12. Bulkhead Line and Application to Purchase.

Presented for formal approval was the bulkhead line established by the Board of County Commissioners of Hillsborough County on March 29, 1961 by adoption of "Resolution Changing Portion of Established Bulkhead Line". Certified copy of the county resolution and proof of publication of notice of public hearing were filed with the Trustees. The bulkhead line in Tampa Bay provided for an addition to island bulkhead previously approved, located in Section 2, Township 32 South, Range 18 East. The Trustees examined the plat submitted and considered the bulkhead line acceptable.

Also, Lyle C. Dickman, abutting upland owner, offered \$125.00 per acre for two parcels of submerged land, Parcel 1 containing 0.07 of an acre and Parcel 2 containing 1.39 acres, both in Section 2 of Township 32 South, Range 18 East, Tampa Bay. The parcels would square up an area previously purchased by Mr. Dickman, and the bulkhead line was to accommodate the application area.

Upon motion by Mr. Green, duly adopted, the Trustees formally approved the bulkhead line established by Hillsborough County in accordance with provisions of Chapter 253.122 Florida Statutes, and authorized the parcels advertised for objections only based on the applicant's offer.

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PALM BEACH COUNTY - On March 21 the Trustees heard proposal of A. A. Poston for purchase of Section 7, the S $\frac{1}{2}$  of Section 8, Sections 17, 19 and 20 of Township 43 South, Range 38 East, 2880 acres. Attention was directed to the withdrawal from sale in 1953. Appraisal was ordered obtained in order that consideration might be given to lease or sale, and appraiser reported present fair market value of \$100 per acre for sale, noting that clearing, drainage facilities and access would entail an initial expenditure of at least \$100 per acre and in view of the problems involved he was unable to fix a rental for agricultural lease. Nearest public road was one mile south, road access would require at least one bridge and the tract would require ditching, dikes and pumping equipment for water control.

The staff recommended (1) advertisement for competitive offers for a 15-year agricultural lease provided a starting offer averaging \$4.40 per acre per year could be received for the first seven years with rental for the remaining eight years based on 4.4% of the appraised value of the lands at the end of the seventh year, and (2) that the rental for first three years be \$2.50 per acre per year with commitment of lessee to construct dikes, ditches, provide road access with any necessary bridges and water control facilities amounting to not less than \$200,000, with rental of \$16,776 for the next four years. On this basis, rental for the 15-year period would not be less than \$190,070 and the Trustees would still own the land.

Mr. Poston offered \$135 per acre starting bid at public sale. The Director reported receipt of telegram from Thurmond W. Knight applying to purchase on behalf of a local farm operator client, letters of inquiry from other parties, and a proposal from Senator Fred O. Dickinson on behalf of Hatton Bros., Inc., vegetable growers, as to proposal for an exchange of acreage.

Mr. Dickinson presented his client's proposal to exchange all of Section 10 and the West half of Section 15 (owned by Hatton Bros.) for Section 7 and the South half of Section 8 (Trustees' land), all in Township 43 South, Range 38 East. He pointed out that the land to be acquired by the Trustees under proposed exchange was in Highlands-Glades Drainage District and his client (1) would assume the drainage taxes for a period of one year or until the

Trustees leased or sold the land and that his client, (2) would build at his own expense within 90 days a canal of proper width and depth tying into his present canal to provide drainage of the Trustees' three sections which could then be used for farming and could be leased or sold at a considerably higher value, and (3) would give ingress and egress through a road on his client's property and one he would build through the exchanged section, with proper easement instrument for as long as such access was desired.

Also present at the meeting and expressing interest in bidding for lease or sale were Bill Bailey of Belle Glade and Luther Jones.

Upon motion by Mr. Green, duly adopted, the Trustees deferred action and instructed the staff to go into the matter thoroughly as to the offers and proposals made.

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PALM BEACH COUNTY - The Director called attention to letter of April 12 from Director H. G. Cochran of Florida Division of Corrections regarding a parcel of land (plus buildings) described as the South 1721.9 ft. of the North 2611.8 ft. lying between rights of way of State Road #15 and the FEC Railway adjacent to the Glades State Prison Farm which the owners offered to sell to the state for \$65,000. Mr. Cochran stated that the Division of Corrections was not concerned with any trade or exchange by the private owner but recommended that the state acquire the property in order to prevent sale for some activity which might create a security hazard to the institution. The Director expressed the opinion that the state did not need the property and was already paying a considerable amount in taxes for lands used by the Prison Division.

The Trustees took no action, referring the matter to the staff for further study.

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PALM BEACH COUNTY - The Director advised the Board that Ralph J. Blank, Jr., on behalf of clients, had made verbal application to purchase for a private game preserve that part of Section 31, Township 46 South, Range 39 East, Northwest of Levee L-6 right of way, which had an appraised value of \$35.00 per acre. He suggested that the land be advertised for competitive bids subject to approval of the Governor's Land Study Committee, but that investigation should be made to see that access to the levee was not cut off by sale of the parcel.

Without objection, the Trustees referred the matter to the Governor's Committee on Recreational Development for recommendation and Attorney General Ervin suggested that Mr. Blank be present at the next meeting of the committee.

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#### MISCELLANEOUS

STATE LAND OFFICE, FIELD NOTE DIVISION, AND TRUSTEES' OFFICE - Attention was called to the fact that irreplaceable original records, files and materials in constant use were in poor condition and partly housed with inadequate fire protection. The Director recommended that the Engineer for the Trustees, the Land Office Records Clerk and himself be authorized to investigate possible loan of microfilm camera and other equipment, the preliminary estimate concerning the cost and the magnitude of the problem of making, preserving, indexing and using film records of material which should be preserved on microfilm.

Without objection, the Trustees approved the recommendation.

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BREVARD COUNTY - Several officials were present from Brevard County including Joe H. Wickham, Chairman of County Commissioners, Ralph Carter, O. D. Peavey, Mr. Winner of the county mosquito control, and others. They discussed the county's need for recreational areas and the many problems encountered in securing offshore islands and submerged lands, stating that information and cooperation from the Trustees staff had not been sufficient to allow the county program to go forward. Mr. Winner mentioned areas filled at considerable expense to the county as a mosquito control measure which could be utilized for recreation as well as other islands which should not be conveyed into private ownership.



Mr. Ervin expressed the opinion that the Trustees had never failed to give consideration to requests from counties for lands for public recreation purposes, and Mr. Green stated that the county's plan should be made available for study and that the group might meet with Land Study Committee.

Without objection, the Trustees took under advisement the request of Brevard County for islands and submerged areas for public recreation purposes and asked the county officials to discuss their needs and plans with the Land Study Committee.

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BROWARD COUNTY - Without objection, the Trustees authorized issuance of State Permit to the City of Deerfield Beach for construction and maintenance of one groin extending into the Atlantic Ocean at the end of Northeast 7th Street, in accordance with report and recommendations of Coastal Engineering Laboratory, for the standard charge of \$100.00 and without requirement of surety bond from the municipality.

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PINELLAS COUNTY - Without objection, the Trustees authorized issuance of corrective deed No. 22660, SRD 15-R, Sec. 15200-2501, to correct one course in description in the perpetual right of way easement (dated December 20, 1960) to the State Road Department approved by the Trustees April 5, 1960.

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SARASOTA COUNTY - William Budd as agent for nine contiguous ownerships constituting about 1650 feet in Section 35, Township 40 South, Range 19 East on the Gulf of Mexico at Manasota Key, applied for state permit to construct and maintain eleven permeable-type groins. The U. S. Beach Erosion Board and the Coastal Engineering Laboratory did not recommend such groins, the Laboratory having made inspection and concluding that artificial nourishment of the area with suitable dune revetment offered a better solution to the erosion problem and the permeable groins offering little prospect of benefits. The Laboratory, however, did not object to the issuance of the permit with usual covenants together with surety bond of \$3300 for the group, since the owners desired to install the groins, and the Director recommended the requirement of executed power of attorney in event the agent executed the permit on behalf of the nine principals.

The action of the Trustees was to approve issuance of the state permit provided the several applicants were notified of the report and recommendations of the Coastal Engineering Laboratory and all nine applicants advised that they wished to proceed with the groin installation.

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HIGHLANDS COUNTY - Refund. On March 21 the Trustees authorized permit to Evelyn A. Jones et al for 350 cu. yds. of fill material from Dinner Lake, \$25.00 was paid and permit was issued. Subsequently applicant requested refund and advised that since the adjoining owners had not decided to pump in sand to improve their uplands, it appeared that any fill material placed on the Jones property would be washed away again.

Upon motion by Mr. Green, duly adopted, the Trustees approved cancellation of the permit and refund of the \$25.00 permit fee to the applicant.

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HIGHLANDS, ORANGE, POLK COUNTIES - The Director recommended issuance of fill material permits applied for by the following upland owners to remove from the lake bottom riparian to their uplands material to repair damage from storm or otherwise improve their property, the Game and Fresh Water Fish Commission having approved dredging in these lakes under the permit provisions.

- (1) Lake Clay, Highlands County - Application by Dorothy T. Wirick for 300 cubic yards of fill to be dredged offshore from Tract "C" of Block 6, Lake Blue Estates Subdivision; \$25.00 minimum charge.
- (2) Lake Lotela, Highlands County - Application by Wm. B. Dick for 310 cubic yards of fill to be dredged offshore from Lot 1 and East 1/2 of

Lot 2 in Idawa Park Subdivision; \$25.00 minimum charge.

- (3) Lake Maitland, Orange County - Application by H. R. Weaver for 125 cubic yards of fill to be dredged offshore from Lot 1 of Block "A", Camwood Subdivision; \$25.00 minimum charge.
- (4) Lake Maitland, Orange County - Application by S. G. Latty for 325 cubic yards of fill to be dredged offshore from his upland lot at 1603 Summerlands, Winter Park; \$25.00 minimum charge.
- (5) Lake Gibson, Polk County - Application by Guy Fasson for 5,000 cubic yards of fill to be dredged offshore from his uplands described as NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 30, Township 27 South, Range 24 East; \$250.00 charge.

Upon motion by Mr. Green, duly adopted, the Trustees approved issuance of permits to the five applicants for the amounts of material requested at the standard charges.

STATE DRILLING LEASES - Julius Parker, attorney representing Coastal Petroleum Company, holder of drilling leases numbered 224-A, 224-B and 248, appeared before the Trustees with request to make a statement for the records to allay excitement created by certain newspaper reports that Coastal was going to interfere with the surface rights of owners of filled and developed lands along the Florida waterfront. He made substantially the following statements: that the present situation with reference to mineral rights under Coastal's leases was begun some years ago with subsequent hard-fought litigation recently being decided by the Courts in favor of Coastal; that a number of pieces of state-owned land were sold in submerged areas which the officials of Coastal construed were subject to its leases, some in areas where preliminary tests indicated the possibility of mineral deposits; that the company was concerned about the sale of several large acreages; that in the exploration for oil carried out under lease obligations with rentals paid to the state the company had expended large amounts without returns so far; that the company did not intend to cloud any previous title to lands which had been filled and developed and therefore offered to quitclaim surface rights and bring the matter to rest; that if the Trustees sold lands in leased areas the company would like to be consulted and have opportunity to determine, before filling, whether oil, gas or mineral deposits were present which might present a greater profit through royalties than would sale of the land.

Mr. Parker also referred to the Attorney General's Opinion dated March 27, 1961 which held that lease boundaries went no further toward land than present or future bulkhead lines, and he said that the lease contracts provided that the boundary line of the leases were from the natural water's edge seaward.

Attorney General Ervin expressed appreciation for the statement on filled and developed lands, but emphasized that the Trustees had the legal responsibility and duty to protect common law riparian rights of any waterfront proprietor regardless of petroleum leases, and to assure those riparian rights which were treated in the Butler Act and later preserved in the 1957 Bulkhead Act bringing in local authorities and guaranteeing to the upland owners purchase rights and protection under the bulkhead law; that the Trustees would never agree that the leases stand superior to those riparian rights and it was never intended that the leases would control foreshore areas which were protected by common law rights and also rights of the people generally in conservation and public development - without harassment or any claim for payment being made when sales were made to riparian proprietors. He pointed out that the police power of the state protects common law rights so far as legal; that dredging and pit mining for minerals in waterfront areas would violate ripar-

ian rights; that the Trustees would never concede that Coastal could go into such areas without clearance from the Trustees and the upland owners; that as to the bulkhead lines, provision was made for appeal under the law.

The Trustees directed that the minutes show that Mr. Parker was given a hearing, with no action taken by the Board.

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**HURRICANE STUDY REPORT** - The Director reported that upon second call for bids for printing the Hurricane Study Report, authorized by Trustees on March 14, the following bids were obtained in accordance with recommendations of the State Purchasing Commission:

Ebersole Publishing Co., Inc. of Arcadia, Florida	\$1457.39
Buckley-Newman Printing Co., Tallahassee	1878.00

Paul Appleyard, representing Buckley-Newman, asked that consideration be given to the advantages of having work done at a location near the Trustees' office.

Upon motion duly adopted, the Trustees awarded the bid to Ebersole Publishing Co., the low bidder.

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**CAPITOL BUILDING** - Trustees' Funds. Question was raised as to application of rentals to reimburse the Trustees for the sum advanced for remodeling in the sub-basement of the Capitol for use by press representatives.

Mr. Green stated that it had been taken care of, and the Trustees affirmed that the expenditure of funds totaling \$61,786.59 for remodeling the sub-basement area was to be reimbursed from rental paid by the Capitol Press Corps up to the amount of the Trustees' investment.

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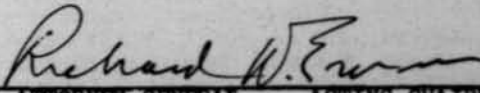
**TRUSTEES' EQUIPMENT** - Without objection, the Trustees approved purchase of one Shaw-Walker green four-drawer steel legal file cabinet without lock at an approximate cost of \$113.00, for use in the Trustees' office.

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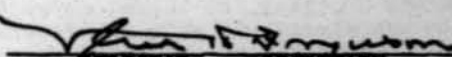
SUBJECTS UNDER CHAPTER 18296

Without objection, the Trustees approved Bidding Report No. 784 listing 6 bids for sale of land under the Murphy Act, and approved issuance of County of Alachua Deed No. 1318-Corrective-Supplemental to Louis Gaitanis et al to correct description in Deed No. 1318-Cor. dated October 23, 1956.

Upon motion duly adopted, the Trustees adjourned.

  
ATTORNEY GENERAL - ACTING CHAIRMAN

ATTEST:

  
DIRECTOR - SECRETARY

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Tallahassee, Florida  
April 25, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture
	Van H. Ferguson	Director-Secretary

Without objection, the Trustees approved the minutes of the meeting held on April 11, 1961, which were approved by the Attorney General and copies presented to all members.

#### LAND SALES

##### MANATEE COUNTY - Bulkhead Line and Sales.

File 845-41-253.12. - N. K. Winston-Sanson Florida Corporation  
File 846-41-253.12. - Flamingo Cay, Incorporated

On March 14, 1961 the Trustees considered applications by N. K. Winston-Sanson Florida Corporation and Flamingo Cay, Inc., both abutting upland owners represented by Hall, Hartwell and Douglass, to purchase submerged land which had been appraised at \$1350.00 per acre, subject to approval of the bulkhead line encompassing right of way area which the State Road Department had agreed to relinquish. The Trustees agreed that in event the State Road Department did relinquish right of way outside of 200 feet and deed the land back to the Trustees, and in event Manatee County located the bulkhead line to accommodate the proposed sales, then the Trustees would consider favorably the bulkhead line and sales to the two applicants.

The State Road Department reduced the right of way for State Road 64 to 200 feet wide and quitclaimed the excess right of way area back to the Trustees, and the land was advertised for sale simultaneously with the county's advertising of notice for fixing the bulk head line. The 1.74 acres of submerged land in Perico Bayou in Section 26, Township 34 South, Range 16 East applied for by Winston-Sanson and the two tracts of submerged land in Sections 25 and 26 of Township 34 South, Range 16 East applied for by Flamingo Cay, Inc. comprising 4.58 acres, more or less, were advertised for objections only in the Bradenton Herald, proof of publication was filed with the Trustees, and no protests to the sales were received.

The Board of County Commissioners of Manatee County adopted the bulkhead line on April 24 for the lands in Sections 25 and 26 of Township 34 South, Range 16 East immediately adjoining the westerly shore of Palma Sola Bay and the easterly shore of Perico Bayou and copy of the County Resolution, proof of publication of hearing notice and map were filed with the Trustees. No local objections were filed or reported. The County also filed with the Trustees copy of the Resolution dated April 24 establishing specific dredge areas in Perico Bayou and Palma Sola Bay for the two applicants, subject to approval by the Trustees.

Attorney General Ervin stated that since every requirement had been fulfilled, approval of bulkhead line, sales and fill permit was in order.

Without objection, the Trustees formally approved the bulkhead line as established by Manatee County on April 24, 1961; confirmed sale

of the 1.74 acres and 4.58 acres to the N. K. Winston-Sanson Florida Corporation and Flamingo Cay, Inc., respectively, at the appraised price; and also formally approved dredge and fill permit for the dredge areas as specifically requested by the County.

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MARTIN COUNTY - File No. 837-43-253.12. On March 8 the Trustees considered application by A. A. Hendry and wife, abutting upland owners, who offered the appraised price of \$250.00 per acre for purchase of a parcel of submerged land in the Indian River in Section 22, Township 37 South, Range 41 East, 1.68 acres more or less within the established bulkhead line. The land was advertised for objections only in the Stuart News, proof of publication filed with the Trustees, and no protest to the proposed sale was received.

Without objection, the Trustees confirmed sale to the applicant at the price offered.

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MONROE COUNTY - File No. 778-44-253.12. On March 14 the Trustees considered application by W. Harrison Terry, the abutting upland owner, who offered the established price of \$1000.00 per acre for a parcel of submerged land in the Bay of Florida lying northerly of the Island of Key West, and abutting the West 40 feet of Tract 21, all of Tract 22 and East 20 feet of Tract 23, all as shown on the Amended Plat of Hilton Haven, Section #2, as recorded in Plat Book 2, Page 138, Public Records of Monroe County, containing 0.83 acre, more or less. The land was advertised for objections only in the Key West Citizen, proof of publication was filed with the Trustees, and no protest to the proposed sale was received.

Without objection, the Trustees confirmed sale to the applicant at the price offered.

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MONROE COUNTY - File No. 839-44-253.12. On March 8 the Trustees considered application by Maurice A. Hauptert and wife, abutting upland owners, who offered the established price of \$300.00 per acre for purchase of a parcel of submerged land in Florida Bay in Section 18, Township 63 South, Range 38 East, Plantation Key, containing 2.60 acres, more or less. The land was advertised for objections only in the Coral Tribune and proof of publication filed with the Trustees.

Objections to the proposed sale were filed by George M. Schwartz; and John E. Kirk, attorney representing objector Sam A. Grow, had expected to be present. The Director recommended deferment for further investigation of the objections.

Without objection, the Trustees deferred action until a later meeting.

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MONROE COUNTY - File No. 838-44-253.12. On March 8 the Trustees considered offer of the established price of \$250.00 per acre from M. N. Ferguson, abutting upland owner, for purchase of a parcel of submerged land in Sacarma Bay in Section 29, Township 66 South, Range 28 East, Cudjoe Key, containing 0.96 acre, more or less. The land was advertised for objections only in the Coral Tribune, proof of publication was filed with the Trustees, and no protest to the sale was received.

Without objection, the Trustees confirmed sale of the advertised parcel to the applicant at the price offered.

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DUVAL COUNTY - File No. 821-16-253.12. On April 11 the Trustees confirmed sale to St. Regis Paper Company at the adjusted price of \$250.00 per acre for a parcel of submerged land which was advertised as 42.35 acres, based on the description in the survey contained in the original application. It had been determined that error was made in computing the acreage and that while the description advertised was correct, the acreage should have been shown as 66.371 acres.

Without objection, the Trustees authorized readvertisement of the land to show the correct acreage.

#### APPLICATION TO PURCHASE

MONROE COUNTY - File No. 915-44-253.12. Mary Rice Creekmore, the abutting upland owner, represented by G. A. Crawshaw, offered the established price of \$300.00 per acre for a parcel of submerged land in the Straits of Florida in Section 13, Township 62 South, Range 38 East, Key Largo, containing 2.17 acres.

Upon motion duly adopted, the Trustees authorized advertisement of the parcel for objections only.

#### LEASES

GLADES COUNTY - On March 21 the Trustees denied application by Max Hook to lease 15.26 acres on the lakeward slope of Herbert Hoover levee and ninety-day notice to vacate was issued, based on request from the Central and Southern Florida Flood Control District that the Trustees restrict sale or lease of lands on or lakeward of existing and proposed levees around Lake Okeechobee. The applicant or his predecessor had used the site for years without authorization and without payment of rent.

Representative Joe Peeples advised that the operator of the unauthorized camp, Harvey Arrington, had purchased the business about eighteen months ago, had cleaned up and improved the place, had on the premises trailers and other items left by various owners so that removal under the 90-day notice would be a great hardship. Since the camp served many boaters, Mr. Peeples urged that it be allowed until the land was actually required for works of the District or maintenance of the levee, and stated that the operator would be willing to pay \$50.00 a month rent for about six or seven acres.

G. E. Dail, Jr., Executive Director, Central & Southern Florida Flood Control District, did not recommend private or commercial use of the area, which was on the levee right of way, advised that levee would be improved or raised within two years, but thought that temporary use might be allowed with 90 day cancellation provision. He pointed out, however, the possible danger to life and property during storm conditions, and recommended that no other leases be granted.

Upon motion by Mr. Larson, seconded by Mr. Ervin and adopted, the Trustees granted the application and authorized the Director to work out a lease of a small area on a month-to-month basis at \$50 per month, with 90-day cancellation provision, the action not to be considered as precedent for granting lease or use-rights on any other similar areas.

GLADES COUNTY - James W. Wiggins, holder of ten-year grazing Lease No. 817 expiring August 2, 1961, covering 142 acres in Sections 15 and 22, Township 42 South, Range 33 East at \$1.00 per year, applied for ten-year renewal with ninety-day cancellation clause. The lease required planting of pasture grasses and applicant reported replanting was necessary because of excess water which he proposed to correct by ditching.

The Director recommended further investigation, as the U. S. Sugar Corporation was interested in purchase of the land.

Without objection, the Trustees referred the matter to the staff for study.

OKEECHOBEE COUNTY - Glen Davis applied for five-year grazing lease of 53.64 acres in the NW $\frac{1}{4}$  of Section 5, Township 38 South, Range 35 East at \$1.00 per acre per year.



Without objection, the Trustees authorized the lease as requested, with ninety-day cancellation clause.

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PALM BEACH COUNTY - On April 18 the Trustees deferred action on offers and proposals concerning Section 7, S $\frac{1}{2}$  of Section 8, Sections 17, 19 and 20 of Township 43 South, Range 38 East, 2880 acres of land which the staff recommended for agricultural lease.

A. A. Poston, representing a client, restated his offer of \$135.00 per acre as base bid for competitive sale, however he would be interested in lease, if the Board did not decide to sell the land.

Current land prices being considered favorable, the Trustees expressed preference for sale of the acreage for farming use which would place the land back on the tax rolls and avoid any drainage problems or drainage district taxes.

Upon motion by Mr. Green, adopted without objection, the Trustees authorized offering the land for competitive bids on the basis of Mr. Poston's base bid offer, bids to be taken first on one-half section or more and then on the whole tract.

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MISCELLANEOUS

BAY COUNTY - Panama City-Bay County Chamber of Commerce applied for state permit to construct an artificial reef southwest from Hurricane Island in the Gulf of Mexico. The State Board of Conservation has inspected the location 3.5 miles offshore at a depth of seventy-one feet at mean low water and recommended authorization.

Without objection, the Trustees authorized issuance of State Permit as requested for the regular processing fee of \$50.00.

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DADE COUNTY - Central and Southern Florida Flood Control District returned unrecorded the right of way easement instruments authorized by Trustees on December 20, 1960 for discharge channels from Levee L-29 to the north right of way line of U. S. Highway 41 and temporary easement to expire December 31, 1963 for work areas along the side of the channel rights of way. Due to realignments of the structure spillways the District requested revised instruments substituted for the originals.

Without objection, the Trustees authorized issuance of the easements as requested by Central and Southern Flood Control District.

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GLADES COUNTY - Central and Southern Florida Flood Control District requested permanent easement for access road purposes covering a 70-foot wide parcel approximately 1080 feet in length across unsurveyed lands in Section 23, Township 40 South, Range 32 East between State Road 78 and Levee L-50 for the construction of Structure S-131.

Without objection, the Trustees authorized permanent easement as requested by Central and Southern Florida Flood Control District.

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GLADES COUNTY - Central and Southern Florida Flood Control District requested permanent easement for access road purposes covering a 70-foot wide parcel approximately 1000 feet in length across unsurveyed lands in Sections 2 and 3, Township 40 South, Range 33 East, between State Road 78 and Levee L-49 for the construction of Structure S-129.

Without objection, the Trustees authorized permanent easement as requested by Central and Southern Florida Flood Control District.

HIGHLANDS COUNTY - Milton F. Stokey, President of Florida Power Employees Association of Avon Park, applied for permit to dredge 150 cubic yards of material from bottoms of Lake Lotela offshore from property in Section 26, Township 33 South, Range 28 East, owned by Florida Power Corporation on which is located employees' clubhouse. The material was to be used to repair damage to the upland caused by Hurricane Donna, and the State Game and Fresh Water Fish Commission approved dredging in the lake under permit provisions.

Without objection the Trustees authorized issuance of permit for the minimum charge, \$25.00.

LAKE COUNTY - Henry C. Johnson applied for 1000 cubic yards of fill material to be taken from the bottoms of the St. Johns River to improve uplands owned by Ray Chalker in the Levy Grant in Township 15 South, Range 28 East.

Without objection the Trustees authorized issuance of permit to dredge the material requested for \$50.00.

PALM BEACH COUNTY - Without objection the Trustees authorized issuance of state permit for the standard fee of \$100.00 to Ervin Zink and Tom Clark for commercial dock at Lot 2, Block 4, Boca Raton Riviera Unit B, Plat Book 20 at Page 50, adjacent to the Intracoastal Waterway, located in an area zoned for business.

PALM BEACH COUNTY - Gibson and Gibson, on behalf of John B. Beach and Stafford B. Beach, made application for disclaimer under the provisions of Section 253.129 Florida Statutes, covering a tract of land in Section 22 of Township 43 South, Range 43 East, containing 0.712 acres, more or less, in Palm Beach County which was filled prior to June 11, 1957. Issuance of the disclaimer was consistent with the recent opinion of the Attorney General concerning the riparian rights of the Beach interests.

Upon motion duly adopted, the Trustees authorized issuance of disclaimer to the applicants for \$10.00 handling charge.

PINELLAS COUNTY - Without objection the Trustees authorized temporary construction easement to the State Road Department covering a parcel of submerged land, 1.12 acres more or less, in Boca Ciega Bay in Section 20, Township 32 South, Range 16 East for the construction of the Bayway between Pine and Cabbage Keys, the easement to terminate upon completion of the project.

POLK COUNTY - Without objection the Trustees authorized perpetual dedication to the State Road Department for state road purposes over a parcel of submerged land in Lake Parker, 1.05 acres more or less, in Section 17, Township 28 South, Range 24 East. The Board discussed briefly the status and disposition of areas which might be overfilled or where fill "spilled over" beyond the right of way limits.

SARASOTA COUNTY - Without objection the Trustees authorized perpetual dedication to the State Road Department for state road purposes over 0.597 acre more or less of submerged land in South Creek in the SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 14, Township 38 South, Range 18 East.

VOLUSIA COUNTY - V. Lee Norwood, Executive Director of Ponce de Leon Springs, requested three-year lease or permit to erect a sign on a sovereignty island offshore from Dexter Island at the junction of the St. Johns River, Lake Dexter and Stagger Mud Lake. He stated that the island was a very small marshy undeveloped area, that the sign would aid navigation, and that the \$30 per year offered was the same rental paid to private owners for such privilege.

Upon motion duly adopted, the Trustees authorized issuance of three-year lease with 120-day cancellation clause, at \$30.00 per year.

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TRUSTEES' BUILDING - Robert H. Brown, Jr., architect-engineer of Board of Commissioners of State Institutions, made a further presentation on the proposed building for the Trustees' office which had been discussed and plans presented previously. Mr. Brown stated that the building was designed in keeping with what was determined to be the present day meaning of the Taylor Plan, that the building including the telephone equipment area would provide fourteen thousand square feet at the base cost of \$173,600, or approximately \$12.50 per square foot which he recommended as a very good price for construction of an office building.

Governor Farris Bryant stated that he had studied the original Taylor Plan and the various documents that had kept it up to date and observed that the park plan had already been changed by the Apalachee Parkway being brought up to the main entrance of the Capitol rather than closing of that street, that he further took the matter up with former Governor Millard Caldwell during whose term the Taylor Plan was conceived and that they both were of the opinion that the proposed Trustees' building was consistent and in keeping with the original plan and what had been done to date. On that basis the Governor expressed his approval of going ahead with the building.

The Trustees expressed approval of the building, Mr. Green pointing out that extensive beautification of the grounds would greatly improve what was there now and that it was essential to have the telephone facilities there. Upon question being raised by the Governor as to whether the state was receiving rent, it was explained that telephone company contracts called for space to be provided for equipment and that only facilities for the House of Representatives were located in the basement of the Trustees' building site.

Attorney General Ervin expressed appreciation that the Governor, also, felt that this building was within the range of what was originally planned for the Capitol Center, and he said that it was needed not only for the work force of the Trustees but also to adequately house the many records.

Coordinator Terry Lee asked for authority to enter into contract for the construction for the base amount plus Alternate 1.

Motion by Mr. Ervin, seconded by Mr. Larson and adopted unanimously was that the Board of Commissioners of State Institutions be authorized to enter into contract with the low bidder, Bear Construction Company, Inc., in the amount of \$189,425.00 for construction of the Trustees' building, on the basis of the base bid plus Alternate 1.

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CAPITOL CENTER COMMITTEE - Motion was made by Attorney General Ervin, and adopted without objection, that the Governor be requested by the Board of Commissioners of State Institutions, in concurrent action with the Trustees, to appoint a continuing committee to keep in mind the basis on which the Capitol Center (Taylor) Plan should be implemented and to work along with the Cabinet and advise the Cabinet on developments along that line to keep the plan up to date.

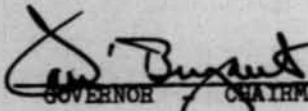
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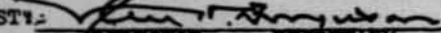
SUBJECTS UNDER CHAPTER 18296

Without objection the Trustees authorized issuance to the State Road Department of right of way easement for State Road No. 98-R over certain parcels of land in Section 34, Township 7 South, Range 19 East which were embraced in tax sale certificates and certified to the state under the Murphy Act. Alachua County.



Upon motion duly adopted the Trustees adjourned.

  
GOVERNOR CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
May 2, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office, in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

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Van H. Ferguson      Director

Upon motion duly adopted the Trustees approved the minutes of the meetings held on April 18 and 25, 1961, which were approved by the Attorney General and copies furnished each member.

#### LAND SALE

PINELLAS COUNTY. - File No. 922- 52-253.12. Application of Indian Hocks Fuel Oil and Marine, Inc., to purchase a parcel of submerged land in the Narrows in Section 19, Township 30 South, Range 15 East, 0.57 of an acre, more or less, within established bulkhead line, was advertised by Pinellas County Water and Navigation Control Authority and approved on March 23, 1961, after local hearing at which no objections were presented. Proof of publication of notice and copy of transcript of the county hearing were filed with the Trustees. The Director recommended confirmation of the sale upon payment of \$500 per acre, the appraised value of the land.

Upon motion by Mr. Larson, duly adopted, the Trustees confirmed sale of the land to the applicant at the appraised price.

#### APPLICATIONS FOR LAND

BREVARD COUNTY. - File No. 779-05-253.12. Presented for consideration was application by Carl M. Brukenfeld and the Estate of Morris Brukenfeld, riparian upland owners, for sovereignty lands within the established bulkhead line comprising 1642.78 acres, more or less, riparian to applicants' uplands in Sections 6, 7, 8, 17, 18, 19, 20, 21, 28 and 29 of Township 21 South, Range 17 East, for which the sum of \$96,000 was offered for the area between U. S. meander and the established bulkhead line, computed at 1627.18 acres of which the applicant claimed 616.15 acres as accretion. The offer was \$94.95 per acre for 1011.03 acres; appraisal reported the value of \$100.00 per acre. The area sought was bounded northwest by Indian River Lagoon, lying westerly of the sandy dune barrier

along the Atlantic Ocean, part of the ocean frontage being the sparsely developed Playalina Beach. Applicants' record ownership by the 1860 U. S. survey was shown to be 2313.18 acres of which 169.89 acres was represented as lost by erosion on the ocean beach for which loss applicant asked for adjustment in fixing price. Applicants' adjacent upland was marshy with many shallow creeks, detailed topographic survey was not available and applicants' engineers used the 1952 U. S. Geological Survey Quadrangle Maps in estimating areas claimed as accretion.

The Trustees' staff could not establish whether the 616.15 acres claimed as accretion, being in excess of that area shown on the U. S. survey, was in fact natural accretion or was caused by avulsion, or if the U. S. survey meander was inaccurate; and in absence of documentary proof it appeared that each might have been a contributing factor. Since detailed survey with elevations, water depths and accurate definition of the intricate lines of mean high water would entail much preliminary expense and field work, the staff proposed that applicant pay appraised value for one-half of the claimed accretion, total \$132,910.50, which was \$36,910.50 more than the offer. By reason of the magnitude of the proposed project (3940 acres, including area owned, claimed accretion and submerged land sought) the appraisal report was regarded as a carefully considered estimate for which actual construction costs could not be foreseen and total value ascribed should be subject to reasonable deviation from the estimate. A variation of as much as 10% was suggested for consideration by the Trustees, the staff suggesting that the total price of \$132,910.50 might be adjusted to \$119,619.45 for purchase contract bearing 6% on the unpaid balance. However this was still \$23,619.45 more than the offer, and the staff was unable to recommend allowance for the apparent loss of 169.89 acres by erosion.

The Trustees examined the plat and questioned whether some of the area should be retained for public recreation and whether further engineering information could be obtained.

At the suggestion of Governor Bryant, the Trustees deferred action and directed that the staff bring further information to the Board at later meeting.

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MONROE COUNTY - Representative Bernie C. Papy of Monroe County and Admiral H. Y. McElroy, Commander of U. S. Naval Base at Key West, presented request for conveyance of two small spoil islands originally created by harbor and channel dredging, plus surrounding submerged lands lying west of the Naval Station on which to deposit spoil material from a proposed dredging project to enlarge turning basin. The area described as approximately 55 acres was desired for construction of additional Naval facilities and Mr. Papy pointed out that expansion and development would benefit the City of Key West and the people of Monroe County.

Appraisal of the land had been secured, however request was for conveyance at a nominal price in view of U. S. Navy use. The Trustees expressed willingness to cooperate by granting the land without charge subject to reversion back to the state if not used or if abandoned.

Upon motion by Mr. Green, unanimously adopted, the Trustees granted the request for conveyance of the land for U. S. Naval facilities for a nominal consideration of one dollar and subject to inclusion of reverter clause for five years non-use.

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MONROE COUNTY - File No. 834-44-253.12. Key Colony Beach, Inc., the abutting upland owner, offered the established price of \$250.00 per acre for a parcel of submerged land in the Straits of Florida in Section 8, Township 66 South, Range 33 East, containing 0.47 of an acre at Key Colony Beach.

Upon motion duly adopted, the Trustees authorized advertisement for objections only.

MONROE COUNTY - File No. 916-44-253.12. Ira L. Sullivan and wife, abutting upland owners represented by G. A. Crawshaw, offered the established price of \$300.00 per acre for a parcel of submerged land in the Straits of Florida in Section 13, Township 62 South, Range 38 East, 0.83 acre at Key Largo.

Upon motion duly adopted, the Trustees authorized advertisement for objections only.

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PALM BEACH COUNTY - File No. 921-50-253.03. Edward Zywicki of Bean City, Florida, the abutting owner, applied for 0.76 acre parcel of land, being that part of the NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sec. 5, Twp. 44 South, Range 36 East (State Survey) lying north of State Road No. 25, for which he offered \$304.00 for the parcel based on the prevailing price of \$400 per acre for lands of that classification in the area.

The Director recommended sale to the applicant without advertising, upon approval by the State Road Department.

Without objection, the Trustees approved sale as recommended, subject to State Road Department approval.

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PASCO COUNTY - File No. 919-51-253.12. Julius Wetstone, Trustee, the abutting upland owner, represented by Thomas L. Alexander, offered the appraised price of \$150.00 per acre for a tract of submerged land in the Gulf of Mexico in Sections 5, 6, 7 and 8 of Township 25 South, Range 16 East, containing 654.8 acres within the established bulkhead line.

Upon motion duly adopted, the Trustees authorized advertisement for objections only.

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#### BULKHEAD LINES

PALM BEACH COUNTY - Presented to the Trustees for formal approval was the bulkhead line established pursuant to provisions of Section 253.122, Florida Statutes 1957 by the Town Commission of the Town of Lake Park in Palm Beach County by Ordinance No. 28-1960 adopted on February 6, 1961. The bulkhead line was located within the corporate limits of the town on the west side of Lake Worth and was recommended by the Director as a conservative line.

Upon motion duly adopted, the Trustees formally approved the bulkhead line adopted on February 6, 1961 by the Town of Lake Park.

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SANTA ROSA COUNTY - Presented to the Trustees for formal approval was the bulkhead line established pursuant to provisions of Section 253.122 Florida Statutes 1957 by the Board of County Commissioners of Santa Rosa County on April 11, 1961. The bulkhead line was located in Blackwater Bay offshore from uplands in Section 24, Township 1 North, Range 28 West and Section 19 of Township 1 North, Range 27 West.

Upon motion duly adopted, the Trustees formally approved the bulkhead line as established by the Board of County Commissioners of Santa Rosa County.

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#### MISCELLANEOUS

BREVARD COUNTY - The Board of County Commissioners of Brevard County by resolution adopted April 6, 1961 requested 30-foot right of way across a shallow indentation of the Indian River shore for relocation of "Robinson Curve" in Section 3, Township 27 South, Range 37 East to eliminate a local traffic hazard on the former State Road No. 3.

Without objection, the Trustees authorized dedication of the parcel for public road purposes.



LEE COUNTY - The Director recommended dedication of the Easterly 50 feet of the NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 24, Township 46 South, Range 22 East for public road purposes under supervision and management of the Board of County Commissioners of Lee County with provision for dedication to extend and enure to the State Road Department and/or the Federal Government as the interest of either might appear.

As information, the Director reported that Mrs. M. W. Cannon in 1957 purchased the N $\frac{1}{2}$  of SE $\frac{1}{4}$  of said Section 24 under contract No. 21522 and on November 18, 1959 she dedicated her equity in the 50-foot strip for public road purposes, it was stricken from the contract, the contract was paid up and deed issued for the N $\frac{1}{2}$  of SE $\frac{1}{4}$  less the Easterly 50 feet, title to which remained in the Trustees.

Without objection, the Trustees approved dedication of the parcel for public road purposes subject to the provisions recommended by the Director.

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BAY COUNTY - Richard E. Rice of Panama City applied for permit to remove approximately 400 cubic yards of fill material from Pitts Bayou in Section 24, Township 4 South, Range 14 West, to use for improvement of his upland.

Without objection, the Trustees authorized issuance of permit for the material requested at the minimum charge. of \$25.00.

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LAKE COUNTY - Mrs. Esther Lackey applied for permit to remove 1000 cubic yards of fill material from the bottoms of the St. Johns River to use for improvement of her upland property in the Levy Grant in Township 15 South, Range 28 East.

Without objection, the Trustees authorized issuance of permit for the material requested for the charge of \$50.00.

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HIGHLANDS AND ORANGE COUNTIES - Without objection the Trustees approved issuance of fill permits applied for by the following upland owners for removal from lake bottoms riparian to their upland property fill material to repair damage from storm or otherwise improve their uplands, the Game and Fresh Water Fish Commission having approved dredging in the two lakes under permit provisions.

- (1) Dinner Lake in Highlands County - Application by The Progressive Publishing Co. of Clearfield, Penn., by Virginia Rebman of Sebring, for 5000 cubic yards of material to be dredged offshore from westerly part of Assembly Grounds and in Govt. Lot 4 of Section 20, Township 34 South, Range 29 East; \$275.00 charge.
- (2) Lake Maitland in Orange County - Application by Mrs. H. H. Love for 100 cubic yards of material to be dredged offshore from property at 1565 Summerland Avenue, Winter Park, in Section 31, Township 21 South, Range 30 East; \$25.00 charge.

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MONROE COUNTY - G. A. Crawshaw, on behalf of the North Shore Bank of Miami Beach, requested dedication for the perpetual use of the public for roadway access purposes, with provision for opening, covering a strip 150 feet in width by approximately 500 feet in length over shallow waters of Newport Bay in Section 22, Township 61 South, Range 39 East, Key Largo. The strip would extend an existing street and connect applicant's uplands with a mangrove flat which was conveyed by Trustees to applicant in May 1960, Deed No. 22483.

Without objection the Trustees approved perpetual dedication of the land for public roadway purposes as requested by the applicant.

PALM BEACH COUNTY - Without objection, the Trustees authorized issuance of state permit to W. A. Zaloudek for a marina and breakwater (already constructed) at applicant's property at Lantana on Lake Worth, for \$100.00 processing fee.

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PALM BEACH COUNTY - Florida Inland Navigation District, on behalf of the United States of America, requested perpetual right of way easement to the U. S. A. for channel realignment of the Intracoastal Waterway through the Singer Island Bridge in Section 27, Township 42 South, Range 43 East, Palm Beach County.

Without objection, the Trustees authorized issuance of the easement as requested.

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PINELLAS COUNTY - Comptroller Green presented a telegram from James H. Stewart, City Manager of the City of Clearwater, requesting that right of way be made available to connect a proposed bridge between Clearwater Beach and Sand Key to the south, which would provide a continuous route from Clearwater Beach south to Mullet Key and would improve the opportunity of travel to the south.

H. H. Baskin, Sr., explained that the need for establishing right of way was urgent. The city had sponsored a toll facility which would finance the bridge, bond had been validated and contract advertised, certain owners on the south had agreed to donate right of way through their property, and property to the north was available to the city without cost.

Motion by Mr. Green, adopted without objection, was that the Trustees' staff make initial investigation and that the Governor appoint a committee, including a representative of the State Road Department, to work out details of the right of way to be made available for the road and to negotiate with land owners as to any land exchange.

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PINELLAS COUNTY - Present on this date to discuss certain pending and proposed legislation and certain previously enacted laws pertaining to submerged lands were J. Lewis Hall, an attorney representing certain land owners, Representative James T. Russell of Pinellas County, Charles M. Phillips, Jr., of Clearwater, and others.

Mr. Hall called attention to a 1959 Act and also proposed new legislation that directly affected the title to submerged lands, divesting authority from the Trustees, vesting title in Pinellas County as to all submerged lands from the bulkhead lines or the low water line (where bulkhead lines were not established) out to the Pinellas County boundary, proposing a severance tax on all fill material removed, which bills in his judgement were a departure from basic state policy and would result in disposition of state resources without uniformity. He urged an appropriate resolution to the legislature calling for repeal of the 1959 act and that the proposed legislation not be enacted.

Representative Russell stated that the 1959 act attempted to solve the problems of Pinellas County, that the intent was to prevent arbitrary changing of bulkhead lines and excessive filling and dredging, to conserve the county's water areas for the people of all the state, that certain proposed legislation probably would not be introduced by the delegation.

Mr. Phillips expressed particular opposition to the proposed severance tax bill which appeared to be a control measure rather than meeting a definite need for tax funds.

Attorney General Ervin explained that there was a laudable purpose in the 1959 legislation to meet a need in Pinellas County where indiscriminate filling had caused severe criticism, that the remainder of submerged lands should be placed in a position where neither the county nor the Trustees, except by mutual consent, could use it for anything except public purposes with no private or commercial use

permitted. As to the new legislation referred to, he expressed doubt as to the feasibility.

Comptroller Green said that since passage of the bulkhead act the Board had tried to preserve the water resources of the state, that the Trustees by resolution should suggest to the legislature or the legislative committee that has under consideration bills dealing with submerged lands or other bills which may come before them that a thorough study should be made in regard to the state's interest in submerged lands. Mr. Larson and the other members agreed that the law and the new proposed bills should be carefully studied, however Attorney General Ervin voted with this reservation - that anything directed to the 1959 law with reference to submerged land outside the bulkhead line ought not be disturbed.

The following resolution was adopted on a vote of four to one by the Trustees.

#### R E S O L U T I O N

WHEREAS, sovereignty tidal and submerged lands in and under the public navigable waters are resources held in trust for the people of Florida at large by the Trustees of the Internal Improvement Fund which is a State Board charged by Statute with administration, control and management of said lands, duly elected by and accountable to the people of all of Florida; and

WHEREAS, administration of said lands by said Trustees on a state-wide basis has been provided for by adequate existing General Law enacted in the public interest to assure equitable, just administration, disposition and use consistent with the public interest; and

WHEREAS, existing General Law, to safeguard the local economy, planning and welfare has provided authority in local governing bodies to establish bulkhead lines and to regulate filling of submerged and tidal lands through local permits, subject to approval by the said Trustees, said procedures and authorities provided by existing General Law being assurance that said General Law may and should be administered first of all at the local level, the owners and citizens of the area affected being afforded, by the requirement of publication of notices and public hearing in the county affected, to actively participate in such public hearings and to assist or make known to their own duly elected officials their views concerning the needs of their community for consideration in their establishment of bulkhead lines to regulate private filling in the public waters; and

WHEREAS, it is deemed to be in the best interests of the State of Florida and reassuring and advantageous to the citizens and owners in the several counties bordering public navigable waters that administration of the submerged and tidal land resources be maintained for the benefit of all of Florida in as fair, uniform basis, accountable to the people of Florida at large, and unhampered by local selfish interests, political and other motives inconsistent with the general public interest and welfare;

NOW, THEREFORE, BE IT RESOLVED, by the Trustees of the Internal Improvement Fund that the Honorable Members of the House of Representatives, and the Senate, be and they each are hereby petitioned and requested:

1. To examine the potential effects and implications of each and every bill now pending before them, including those under consideration by Committees, and all bills which may be introduced in anywise divesting the State of Florida at large of any land, other resources, including reservations retained, and proceeds of any of the same, held in trust and administered in behalf of and for the benefit of the people of the State of Florida



at large by the Trustees of the Internal Improvement Fund, or in anywise diverting or converting any land, other resources including reservations retained or proceeds of any of the same to purposes other than for the use and benefit of the State of Florida at large, or in any manner curtailing or restricting the administrative jurisdiction vested by General Law, in behalf of the people of Florida, in the Trustees of the Internal Improvement Fund, and

2. To examine and evaluate the effects and implications of all existing laws of local or general application which by enactment have in anywise divested the Trustees of the Internal Improvement Fund of the administration, management and protection of lands, the resources therein or proceeds therefrom for the benefit of the people of Florida at large, and
3. To enact into law only such bills and legislation concerning the lands, the natural resources therein and proceeds from any of the same, as will be clearly in the public interest and maintain administration on behalf of the people of the State of Florida at large.

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WAKULLA-FRANKLIN COUNTIES - Report was made of an inspection by William H. Kidd, Engineer, pursuant to instruction of the Trustees on February 21st, concerning erosion complaint of Virgil Allen with reference to a natural spit or bar projecting into Ochlockonee Bay (Franklin County) from upland near property of Mr. Allen in Wakulla County. Mr. Kidd cited the fact that Joe Priest had agreed to construct a corrective structure without being under any further liability, but that Mr. Allen had not agreed to execute any release for Mr. Priest upon completion of the structure. The Coastal Engineering Laboratory reported that a follow-up inspection made on April 12 confirmed urgent need for action and a greater volume of artificial fill than was estimated in 1959. Since the area subject to erosion was becoming extended and satisfactory agreement could not be arranged, Mr. Kidd and the staff recommended that the Trustees advise both parties that legal recourse should be sought in the Courts.

Without objection, the Trustees accepted the recommendation and directed that the parties be so advised.

#### SUBJECTS UNDER CHAPTER 18296

Without objection, the Trustees approved Report No. 785 listing 1 bid for sale of Murphy Act lands and authorized execution of deed pertaining thereto.

LIBERTY COUNTY - Representative R. L. Hosford of Liberty County discussed a bill under consideration in legislative committee to divest the state and quiet title of persons holding and claiming ownership of any Liberty County lands which were certified to the state under Chapter 18296, Laws of Florida, 1937, commonly known as the Murphy Act. Because of the burning of the Court House, loss of records, and resulting problems as to land titles, the legislation to provide relief was desired.

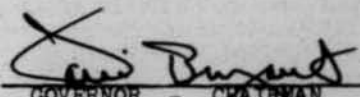
Comptroller Green and Attorney General Ervin recommended a permissive bill authorizing the County Commissioners or Clerk of the Circuit Court, with approval of the Comptroller, to make disposition in each individual case to clear up the problem in instances where


there was some evidence that the Murphy Act title had been redeemed or some mistake had been made in the certification of title to the state.

Without objection, the Trustees requested the Comptroller and the Attorney General to work with Representative Hosford on a bill along the lines recommended above, with full approval and authority of the Board.

OSCEOLA COUNTY - Without objection, the Trustees authorized dedication to the State Road Department for state road right of way (Road S-531, Sec. 92501-601) covering the easterly 60.02 feet of Lot 13, Block 4, Marydia Subdivision, Plat Book "B" Page 67, Osceola County public records, which land was certified to the state under the Murphy Act.

Upon motion duly adopted the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
May 9, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office, in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Doyle Conner	Commissioner of Agriculture

Van H. Ferguson                      Director-Secretary

#### LAND SALES

#### COMPETITIVE BIDS:

MONROE COUNTY - File No. 681-44-253.12. On June 14, 1960 the Trustees authorized advertisement for competitive bids and objections with starting offer of \$255.00 per acre based on application by J. Bruce Vining for purchase of all that portion of Cross Key, being sovereign mangrove flats, in Sections 25 and 26, Township 60 South, Range 39 East, Monroe County, which lies North of a line which is 500 feet Northerly from (measured at right angles to) the centerline of State Road No. 5 (U. S. Highway #1) and West of the 300 ft. right of way established for the Intracoastal Waterway through Jewfish Creek, containing 108.7 acres, more or less, in Barnes Sound. The land was advertised for competitive bids and objections in the Key West Citizen, proof of publication filed with the Trustees, and no protests were received.

5-9-61

Upon description of the land being called out on the advertised sale date, competitive bidding resulted in a high bid of \$305.00 per acre made by Jesse F. Warren.

Motion was made by Mr. Larson and adopted that the Trustees approve sale of the land described in favor of Mr. Warren or nominee, at the highest bid offered, plus reimbursement by purchaser to the original applicant of the \$150.00 expense of securing preliminary survey and the application fee, and subject to requirement that purchaser furnish accurate boundary survey by registered land surveyor as called for in the published sale notice.

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OBJECTIONS ONLY:

MONROE COUNTY - File No. 611-44-253.12. A. J. Vondersaar and wife, abutting upland owners represented by G. A. Crawshaw, requested further consideration of their application to purchase a parcel of submerged land in the Bay of Florida in Section 28, Township 63 South, Range 37 East, 0.56 of an acre on Upper Matecumbe Key for which offer of the established price of \$425.00 per acre was made. On May 10, 1960 action was deferred because of protests received from several riparian owners in the vicinity, and the submission of additional layout made the acreage 0.54 of an acre. Second notice had been sent to the objectors, but none appeared on this date.

G. A. Crawshaw, representing the applicants in this and the following three items, explained that although the applicant had made concessions to overcome objections of adjacent owners, hard feelings had developed preventing withdrawal of protests. The plats were displayed, relatively small size of the proposed extensions was noted, and the staff recommended confirmation of sale.

Upon motion by Mr. Larson, duly adopted, the Trustees overruled the objections and confirmed sale of the 0.54 acre parcel to Mr. Vondersaar at the established price.

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MONROE COUNTY - File No. 696-44-253.12. Harry G. Deaver and wife, abutting upland owners represented by G. A. Crawshaw, requested further consideration of their application to purchase a parcel of submerged land in the Bay of Florida in Section 18, Township 63 South, Range 38 East, 0.52 of an acre on Plantation Key, for which offer of the established price of \$300.00 per acre was made. On September 13, 1960 the Trustees deferred action to allow working out of objections filed by John E. Kirk on behalf of Samuel A. Grow and others. Second notice had been sent to objectors, but none appeared on this date.

The plats were displayed, the relatively small size of the proposed sale was noted, Mr. Crawshaw discussed the matter, and the staff recommended confirmation of sale.

Without objection, the Trustees overruled the protests and confirmed sale of the advertised parcel to Mr. Deaver at the established price

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MONROE COUNTY - File No. 818-44-253.12. Phillips Hardware Co., abutting upland owner represented by G. A. Crawshaw, requested further consideration of its application to purchase a parcel of submerged land in Buttonwood Sound in Section 28, Township 61 South, Range 39 East, 0.28 of an acre at Key Largo, for which offer of the established price of \$300.00 per acre was made, or in this instance, the \$100.00 minimum deed amount. On March 28, 1961 the Trustees deferred action to allow opportunity for working out of objections to the proposed sale, second notice had been sent to objectors, but none were present on this date.

The relatively small size of the parcel was noted, that it was riparian to the applicant, and did not obstruct the adjacent property owners.



Upon motion by Mr. Larson, duly adopted, the Trustees overruled the objections and confirmed sale of the advertised parcel to Phillips Hardware Company at the \$100.00 minimum price.

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MONROE COUNTY - File No. 839-44-253.12. Maurice A. Hauptert and wife, abutting upland owners represented by G. A. Crawshaw, requested further consideration of their application to purchase a parcel of submerged land in Florida Bay in Section 18, Township 63 South, Range 38 East, 2.60 acres at Plantation Key, for which offer of the established price of \$300.00 per acre was made. On April 25, 1961 the Trustees deferred action for further investigation of objection filed by John E. Kirk on behalf of Sam A. Grow and George M. Schwartz, second notice had been sent to objectors, but none were present on this date.

The Trustees examined the plat submitted and noted that the extension did not prejudice the other riparian owners.

Upon motion duly adopted, the Trustees overruled the objections and confirmed sale of the advertised parcel to the applicant at the established price, \$300.00 per acre.

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DUVAL COUNTY - File No. 833-16-253.12. On March 21 the Trustees considered application by Wurn Arlington Construction Company, abutting upland owner, to purchase a parcel of submerged land in the St. Johns River lying northeasterly of the F. P. Patio Grant, Section 51, Township 1 South, Range 27 East, 2.813 acres, more or less, within the established bulkhead line. The Trustees fixed the price at \$250.00 per acre and authorized advertisement for objections only. Notice of sale was published in the Florida Times Union, and proof of publication was filed with the Trustees.

Several objections were received citing possible damage to a channel between riparian owners' property and Pauline Island, but all protests were withdrawn prior to the meeting. The staff recommended confirmation of sale and formal approval of fill permit approved by the Board of County Commissioners of Duval County at its regular meeting May 1, 1961.

Without objection, the Trustees confirmed sale of the advertised parcel to Wurn Arlington Construction Company for \$250.00 per acre, and formally approved the fill permit granted by the county.

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DUVAL COUNTY - File No. 841-16-253.12. On March 21 the Trustees considered application by Kaiser Gypsum Company, Inc., abutting upland owner, to purchase a parcel of submerged land extending into the St. Johns River from the south portion of Tract "C" and a parcel indicated as being "not included in this plat", according to plat of Dames Point Replat as recorded in Plat Book 28, pages 25, 25A and 25B of the current public records of Duval County, Florida, being a subdivision of a part of Sections 41 and 42, Township 2 South, Range 27 East, containing 4.07 acres, more or less, more particularly described in the advertised notice for objections only which was published in the Florida Times Union, with proof of publication filed in the Trustees' office. No objections to the proposed sale were received.

Without objection, the Trustees confirmed sale of the advertised parcel to Kaiser Gypsum Company, Inc., for \$250.00 per acre. the price fixed by the Trustees.

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MONROE COUNTY - File No. 835-44-253.12. On March 21 the Trustees considered offer of the established price of \$300.00 per acre from R. A. Bruce Boyd, abutting upland owner, for purchase of a parcel of submerged land in Pine Channel in Section 34, Township 66 South, Range 29 East, Big Pine Key, containing 0.69 of an acre, more or less. The parcel was advertised for objections only in the Coral Tribune, Key West, Florida, proof of publication was filed with the Trustees, and no protests to the sale were received.

Without objection, the Trustees confirmed sale of the parcel to the applicant at the price offered, \$300.00 per acre.

MONROE COUNTY - File No. 842-44-253.12. On March 21 the Trustees considered offer of the established price of \$200.00 per acre from Florida-Southern Land Corporation, abutting upland owner, for purchase of two parcels of submerged land in the Straits of Florida in Section 21, Township 65 South, Range 34 East, Duck Key, containing 4.94 acres, more or less. The land was advertised for objections only in the Florida Keys Keynoter, Marathon, Florida, proof of publication filed with the Trustees, and no protests to the sale were received.

Without objection, the Trustees confirmed sale of the two parcels to the applicant at the price offered, \$200.00 per acre.

#### APPLICATIONS FOR LAND

PALM BEACH COUNTY - File No. 926-50-253.36. Nina O. Briggs, owner of the abutting lot, represented by Ralph O. Johnson, applied to purchase a parcel of reclaimed lake bottom land in Lake Okeechobee in the City of Pahokee in Sections 23 and 24 of Township 42 South, Range 36 East, landward of the levee, containing 0.1 of an acre, more or less, appraised at \$700.00 per acre.

Without objection, the Trustees authorized issuance of deed to the land applied for, without advertisement, for the minimum charge of \$100.00.

POLK COUNTY - File No. 925-53-253.36. Fred Gentzle and wife, owners of the abutting lots, represented by A. Roy Surles, applied to purchase a parcel of reclaimed lake bottom land in Lake Gibson in Section 24, Township 27 South, Range 23 East, containing 0.16 of an acre, more or less.

Without objection, the Trustees authorized issuance of deed to the land applied for, without advertisement, for the minimum charge of \$100.00.

#### MISCELLANEOUS

DADE COUNTY - File No. 923-13-253.129. Irving F. Kalback on behalf of "135 Bay Corporation" applied for disclaimer under Section 253.129 Florida Statutes to a parcel of filled land in Section 27, Township 52 South, Range 42 East, containing 0.4 of an acre, more or less, which was filled prior to June 11, 1957,

Upon motion duly adopted, the Trustees authorized issuance of disclaimer for the usual \$10.00 handling charge.

DUVAL COUNTY - The Director recommended issuance of State Permit to F. A. Morgan for construction and maintenance of dock for public boat storage and rentals at the applicant's Lot 5, Block 200, Lakeside Park on the Ortega River for the regular processing fee of \$100.00.

Without objection, the Trustees authorized issuance of the permit as recommended.

GLADES COUNTY - On the request of Mrs. Edna Pearce Lockett, holder of expired Grazing Lease No. 404-A, the matter of a new grazing lease was withheld for consideration at a later date.

HENDRY COUNTY - Carlos R. Dickey on behalf of Neely Davis requested disclaimer of E $\frac{1}{2}$  of SW $\frac{1}{4}$  of NE $\frac{1}{4}$  and E $\frac{1}{2}$  of W $\frac{1}{2}$  of SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 34, Township 45 South, Range 29 East, 30 acres. Information was

that on October 4, 1888 Trustees issued Certificate No. 13816 to Pensacola & Atlantic Railroad as a commitment to grant the lands to the railroad by deed when patented to the State, however the State never received patent and U. S. patent was made to Marion L. Williams on March 6, 1931. On March 12, 1908 Louisville & Nashville Railroad Company (successor to Pensacola & Atlantic Railroad Co.) issued quitclaim to the State of Florida which instrument was of record and was regarded as a cloud on the record owner's title.

The Director recommended issuance of ex parte disclaimer of any right, title or interest by or arising out of the above mentioned quitclaim.

Upon motion duly adopted, the Trustees authorized issuance of ex parte disclaimer as recommended by the Director, for handling charge of \$10.00.

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MONROE COUNTY - On behalf of the United States of America, the District Engineer, Jacksonville District, applied for perpetual easement for spoil disposal purposes covering four areas in Key West Harbor lying west of the Island of Key West. However, since one of these areas was over those submerged bottoms authorized by the Trustees May 2, 1961 to be conveyed to the United States on application by Admiral R. Y. McElroy of the Naval Base at Key West, only a temporary easement or use right to this parcel was required.

Without objection, the Trustees authorized perpetual easement to the United States for spoiling purposes over the three areas requested, and a temporary use right over the fourth parcel to expire at the time that parcel was conveyed to the United States.

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MONROE COUNTY - The minutes of July 28, 1959 recorded the authorization of sand lease (No. 1278) to Alonzo Cothron for monthly minimum payment of \$50.00, the amount based on an error in the agenda of that date. The leased area, less than 42 acres, would by regular lease terms require a \$25 monthly minimum, and the lease was so prepared and executed. The account was in good standing and amendment was recommended to conform the minutes to the lease.

Without objection, the Trustees authorized amendment entry as recommended, to show authorized terms of the lease as \$25 monthly minimum.

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MONROE COUNTY - Without objection, upon motion by Mr. Larson, the Trustees approved collateral assignment of Purchase Contract No. 21477 by J. Paul Walker and wife to Small Business Administration to secure a certain "Disaster Loan", the contract account being in good standing and the Walkers under the assignment remaining responsible for keeping the contract covenants.

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PALM BEACH COUNTY - J. Lewis Hall, Jr., attorney representing the City of West Palm Beach, requested reconsideration and appropriate action by the Trustees concerning the disclaimer issued recently in favor of John B. Beach and Stafford B. Beach (File No. 920-50-253.129) which the city felt materially prejudiced its position in pending litigation and validation of the bond issue for the city auditorium.

The Director and Assistant Attorney General Robert C. Parker explained that on the recommendation of the Attorney General that issuance of the disclaimer was proper and was consistent with the opinion concerning the riparian rights of the Beach interests, the disclaimer had been processed and delivered to attorneys for the Messrs. Beach.



Governor Bryant and Treasurer Larson questioned whether issuance of the disclaimer was premature or uncooperative to the City of West Palm Beach, and suggested that such action be taken that would make it possible for the Trustees to effectively reconsider the matter after review with the Attorney General, who was not in attendance at this meeting.

Without objection, upon motion by Mr. Larson, the Trustees directed review of the matter with the Attorney General and reconsideration at the next meeting.

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PALM BEACH COUNTY - W. E. Schlechter, adjacent upland owner, applied for agricultural lease of reclaimed Lake Okeechobee land between the lake meander and right of way of the U. S. levee, west of State Lot 20 of Section 13, Township 43 South, Range 36 East, 9 acres. Former five-year lease at \$5.00 per acre per year expired February 26, 1961.

Upon motion duly adopted the Trustees authorized issuance of five-year lease in form approved by the Attorney General at \$11.70 per acre per year with six-month cancellation clause.

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SARASOTA COUNTY - On April 18 the Trustees considered application of William Budd as agent for nine contiguous ownerships aggregating about 1650 feet of Gulf of Mexico frontage in Section 35, Township 40 South, Range 19 East, Manasota Key. The Board directed that all the owners be notified that the Coastal Engineering Laboratory did not object to issuance of the groin permit but found that the series of proposed groins offered little prospect of benefit and that artificial nourishment with suitable dune revetment offered better solution for the erosion.

All parties were notified and six responded with an appointment of Mr. Budd as their agent with authority to secure the State and Federal permits for the groins. The Director recommended State Permit for the six owners with the usual covenants and with bond of \$300.00 per groin, subject to Mr. Budd revising his map-plan to show only the groins for those six owners.

Upon motion duly adopted, the Trustees authorized issuance of State Permit as recommended by the Director.

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SUBJECTS UNDER CHAPTER 18296

MANATEE COUNTY - James M. Wallace, Jr., applied for refund of \$1600.00 received by the State of Florida for the E½ of NE¼ of Section 24, Township 33 South, Range 20 East conveyed under the Murphy Act in Manatee County Deed No. 1464 dated November 15, 1956, the deed having been declared null and void by Circuit Court decree. The Director explained that since the land was subject to provisions of the Futch Act, title did not vest in the State.

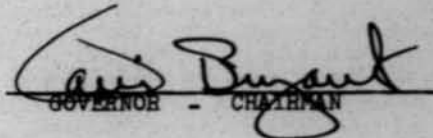
Without objection, the Trustees authorized refund in the event no appeal to the decree was filed within the legal time provided for taking appeal.

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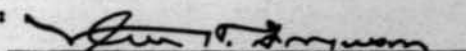
SUWANNEE COUNTY - The City of Live Oak, Florida, offered \$100.00 for conveyance under Chapter 21684 of 1943, without advertisement and public sale, of one lot certified to the State under the Murphy Act in tax sale certificates No. 439 of 1928, 1312 of 1931 and 1950-B of 1933, described as "Lot beginning 112 ft. on S. side Bryson St. and 50 ft. W. of W. edge of Block 3, Dowling Mussey Addition, and run Westward 50 ft. parallel with Bryson St. to an alley, thence Southward along E. side of said alley 38 ft.; thence Eastward parallel with Bryson St. 50 ft. Northward 38 ft. to Point of Beginning, in Section 24-2-13" which was desired for the Housing Authority of the city.

Upon motion by Mr. Larson, duly adopted, the Trustees approved conveyance of the lot under Chapter 21684 to the City of Live Oak, for the amount offered.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:

  
DIRECTOR - SECRETARY

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Tallahassee, Florida  
May 16, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office, in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

Van H. Ferguson      Director-Secretary

Without objection, the Trustees approved the minutes of the meetings held on May 2 and 9, 1961.

MADISON COUNTY - The Trustees considered informal request by Honorable S. D. Clarke, on behalf of Mrs. W. F. Parramore, for disclaimer of the NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 22, Township 2 North, Range 7 East, 39.95 acres in Madison County. The land was patented to the State of Florida July 6, 1857 and never sold as public land, however it was erroneously assessed for taxes for the years 1893, 1894, 1895 and 1896 for which tax sale certificates issued under which the land was certified to the State and sold November 14, 1946 under Chapter 18296, the Murphy Act. When the Trustees advertised the land for sale in 1959 and had an appraisal made it was discovered that the land was sold under the Murphy Act, and at that time the Land Office took the position that the Murphy Act deed was not valid. The matter was reviewed by the office of the Attorney General and in view of the decision of the Court in the recent Lobean litigation, it appears that the State of Florida is estopped from claim to the land by its sale to Mrs. Parramore under the Murphy Act.

The Director recommended issuance of disclaimer for the sum of \$50.00 which was the cost of appraisal paid for by the Trustees on April 21, 1959. The Board discussed possible legislation to prevent lifting of title and loss of land by reason of illegal county tax assessments and proposed legislation to protect federal interest was mentioned with the suggestion that interest of the state might be included.

W. Paul Shelley, Jr., purchased the Madison County land in 1957 from Mrs. Parramore, who was obligated to perfect the title. He agreed to pay \$50.00 for disclaimer to clear his title, since otherwise he said it would be necessary to file suit to quiet title, to which the Trustees would be a party.

Governor Bryant asked for deferment, in view of the possibility of the Trustees setting a precedent or barring themselves from profiting from any legislative action.

Without objection, the Trustees deferred action on the application for disclaimer.

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**MARION COUNTY** - George A. Miller, Jr., of Weirsdale, Florida, applied for permit to dredge 300 cubic yards of fill material from Lake Weir to improve his upland property in Section 24, Township 17 South, Range 23 East, west of Weirsdale on south shore of Lake Weir. The Game and Fresh Water Fish Commission approved the proposed work.

Without objection, the Trustees authorized issuance of permit to the applicant for removal of the requested material for the minimum standard charge of \$25.00.

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**OKALOOSA COUNTY** - Playground Chamber of Commerce of Fort Walton Beach applied for state permit for development of three artificial reefs one mile offshore from (1) Santa Rosa Island at Fort Walton Beach, (2) Destin, and (3) about four miles east of Destin, all in the Gulf of Mexico at depths of 43 to 71 feet. The State Board of Conservation reviewed the application, made inspection of the three areas, and recommended permit.

Without objection, the Trustees authorized issuance of state permit to Playground Chamber of Commerce of Fort Walton Beach for the artificial reefs as recommended by the Conservation Department for standard fee of \$50.00.

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**PALM BEACH COUNTY** - File No. 920-50-253.129. On May 9, 1961 the Trustees directed review and further consideration of the matter concerning disclaimer issued under Section 253.129 Florida Statutes 1957 to John B. Beach and Stafford B. Beach to a tract of land now filled in Section 22, Township 43 South, Range 43 East, Palm Beach County, containing 0.712 acres, more or less, subject to public easements for the rights of way of existing Flagler Drive, Fern Street and the alley along the south side of Block 8, Town of West Palm Beach, Plat Book "B", Page 38, Public Records of Dade County, Florida. J. Lewis Hall, Jr., represented the City of West Palm Beach's position that issuance of the disclaimer was irregular and prejudicial to pending litigation.

Attorney General Ervin reviewed the matter as follows; that the Trustees referred to his office the claim of Messrs. Beach to submerged land offshore from Block 8 and the conclusion of his office was that Messrs Beach, both through inheritance and lien of title, had riparian rights to the waterfront across Flagler Drive; that the City of West Palm Beach was notified and the city deleted from its application the area riparian to the Beach property and had taken no action indicating a contention to the finding of the Attorney General insofar as the Beach land was concerned; that, based on the Attorney General's opinion which held that Messrs Beach were riparian owners, the Trustees as a logical conclusion disclaimed interest pursuant to mandatory statute (Section 253.129 F. S. ), the disclaimer was recorded and beyond recall. Mr. Ervin further stated that insofar as issues in the litigation were concerned, the disclaimer had no real effect and the answer of the Trustees in the litigation would have disclaimed by saying that the Beachs were riparian proprietors.

Paschal C. Reese, attorney for Messrs Beach, expressed the opinion that his clients were entitled to disclaimer under the law, that the Trustees by its issuance did not inject themselves in the litigation, and that his clients had arranged to dismiss the Trustees as far as Tract 1 was concerned but not the City of West Palm Beach.

The Trustees were in agreement with the finding of the Attorney General's office as to the law, and on advice of the Attorney General found that the Messrs Beach were riparian owners and following that conclusion issuance of disclaimer was proper. Further, the Trustees took the position that the Board had no intention of prejudicing the rights of anyone involved in litigation and issuance



of disclaimer was not an expression of opinion in the pending litigation.

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**PINELLAS COUNTY** - Representatives of the City of Dunedin and the developers of the Caladesi-Honeymoon Islands project requested an agreed extension or a date definitely fixed for completion of the causeway, such modification to affect no other phases of the contract dated May 19, 1959 between the Trustees and the City of Dunedin, accepted by Curlew Properties, Inc., (the then developers).

Said contract between Trustees of Internal Improvement Fund, City of Dunedin, and Tom B. Slade, as Trustees, and Curlew Properties, Inc., provided for conveyance of submerged lands to the city to be used by the developer for private development in exchange for which the developer agreed to build at its expense a causeway from the mainland to Honeymoon Island, provide a public beach, and certain other considerations, and obligated the developer to construct the toll-free causeway within two years from final approval of all dredge and fill permits and commencement of construction, which was in November 1959. The three-way agreement contained provision of \$2,000,000 bond for completion of causeway within two years from the specified time.

By Resolution No. 842 dated May 12, 1961 the City of Dunedin granted extension subject to approval of the Trustees, written application having been made by Curlew Properties, Inc., Honeymoon Isle Development Corporation, and Fidelity and Casualty Co. of New York, as surety. Explanation was made that the developers were subjected to delays resulting from litigation and that further delays might result from inability to obtain steel on schedule. The developers filed with the Trustees copy of letter dated May 4 to the City Commission of Dunedin setting out a time schedule for progress of the work toward completion of the causeway project. Royce Kilpatrick, attorney for Honeymoon Isle Development Corp., was present.

Attorney General Ervin read portions of a letter and memorandum from Haddon Johnson, president of Dunedin Civic Association, setting out the position of the Board of Directors of the Association as opposed to any extension of time.

Without objection, upon motion by Comptroller Green, the Trustees concurred in the city's action and granted request for extension from November 15, 1961 to June 1, 1962 for completion of the toll-free causeway provided that nothing in the grant of extension should in any way relieve either the principal or the surety from compliance with other terms and conditions of the contract.

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**SARASOTA COUNTY** - Edison Shell Company, Inc., holder of Shell Lease No. 1503 issued April 15, 1961, requested abatement of monthly minimum payments until removal of shell was allowed to begin. The lease was authorized March 28 pursuant to approval by the State Board of Conservation and covered a part of right of way of the Intracoastal Waterway. Objections to removal of shell have been made by the United States Fish and Wildlife Service, and the Director of Research of State Board of Conservation advised by letter May 10 that "dredging should not be permitted for conservation reasons."

The Director advised that the lease was outstanding and had not been surrendered, that while delay in the proposed operation was not contemplated when the lease was granted, the Board of Conservation had the right to suspend operations, and he recommended a moratorium of the requirement for monthly minimum payment prescribed in the lease until the lessee was authorized to operate in the leased area.

Without objection, the Trustees approved the lessee's request for abatement as recommended by the Director.

LEGISLATIVE REPORTER SERVICE - Trustees Funds. Upon motion duly adopted the Trustees authorized payment of \$500.00 fee to Florida Legislative Reporters, Inc., for the 1961 session of the Legislature for service which included daily reports, summary of all bills introduced in the Legislature, and copies of bills in which the Trustees' interest appeared to be involved.

LEGISLATION - The Trustees discussed certain proposed legislation which involved use of Trustees' funds not contemplated previously by the Board. Governor Bryant suggested that further study should be made by his office.

TRUSTEES AS STATE EROSION AGENCY - Funds. Engineering and Industrial Experiment Station of the University of Florida submitted proposal for contract for the fiscal year beginning July 1, 1961 for the following: (1) special services on beach erosion, navigation and bay problems, \$12,000, (2) services on storm-tide frequency studies for all coastal areas of Florida, \$8,000, and (3) equipment grant for wave generator, including import duty and installation, \$30,000.

The special services item of \$12,000 was a continuation of the current contracted services which included review and advisory comments on all applications to the U. S. Army Corps of Engineers for construction, dredging and filling in public navigable waters; inspections, studies, reports and recommendations to Trustees concerning applications for permits for groins, breakwaters, seawalls and other coastal structures which might, by obstruction or deflection of water currents, induce erosion, shoaling or other tidal problems; and special investigations and reports required by Trustees. The sum requested for storm-tide frequency studies might enable the Laboratory to complete studies underway for three years using data from and in cooperation with the U. S. Engineers, U. S. Coast and Geodetic Survey and U. S. Weather Bureau and provide more specific advice to public bodies, developers and engineers for proper planning in coastal areas.

The wave generator was available only from France at a base cost of \$16,000, import duty \$4000, transportation and final installation \$4000, and the \$30,000 estimate included \$4000 for checking and observation bridge and contingencies estimated at \$2000. The particular type of generator was needed for 3-dimensional scale model experiments to solve problems of inlets, passes and other critical areas in Florida.

In answer to Mr. Ervin's questions as to justification for the grant of funds, it was brought out that work of the Laboratory had been of great assistance in connection with erosion matters, applications for coastal structures, evaluation of bulkhead lines, dredging projects, that indirect benefits to the Trustees came from research and experimental work to determine what might be done to stabilize the water-front areas of the state. It was suggested that the Laboratory might advise the Trustees on the best use and disposition of submerged lands.

Dr. Harry Philpott, Vice-President of the University, Dr. M. E. Forsman of the Engineering and Industrial Experiment Station and Dr. Per M. Bruun were present. It was explained that the Legislature had not provided funds which the Laboratory needed, that the Trustees had availed themselves of their services under Section 253.65 and from 1957 to date had advanced \$87,000 to the Laboratory in the form of funds for equipment and contractual services. The Laboratory also received payment from private parties, municipalities, even foreign countries, for work under contract. William R. Kidd, Trustees' Engineer, discussed pending legislation concerning beach erosion districts which if enacted would place heavy responsibilities on the Laboratory and he recommended approval of the request for funds.

The Trustees were in agreement that the benefits received by the Trustees and in the public welfare from the Coastal Engineering Laboratory would equal or exceed the costs discussed above; and upon motion by Comptroller Green, seconded by the Attorney General, the

Board authorized entering into the contract up to the amount of \$12,000, subject to approval as to form by the Attorney General's office, and advanced Trustees' funds in the amount of \$8000 for storm-tide studies and \$30,000 for wave generator facilities as set up in the Laboratory's request, all payments to be made based on the work performed and the actual costs involved.


SUBJECTS UNDER CHAPTER 18296

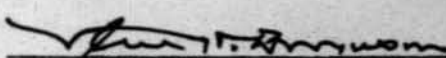
Without objection the Trustees approved Report No. 786 listing one corrective deed, County of Orange Deed No. 618-Cor. Suppl. to First National Bank at Orlando, as Trustee, the Attorney General's Office having approved issuance to add the words "both inclusive" to description in original deed dated May 8, 1941.

CITRUS COUNTY - Anne W. Lindsey offered \$50.00, the base bid amount, for conveyance under Chapter 28317, Acts of 1953, of Lot 7 of Block 2 (less A.C.L. RR) in Moon's Second Addn. to Floral City, Florida, Plat Book 2, Page 47, Public Records of Citrus County, which was certified under the Murphy Act in tax sale certificate No. Bal. 732 of 1933. Applicant was the heir of the former owner and the application complied with the provisions of the Hardship Act.

Without objection, the Trustees authorized conveyance to the applicant for the price offered.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
May 23, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

Van H. Ferguson      Director-Secretary

LAND SALES

BREVARD COUNTY - File No. 832-05-253.12. On April 11 the Trustees authorized advertisement for objections only upon application by Vacation Land, Inc., abutting upland owner, represented by H. C. Kirk, with offer of the appraised price of \$700.00 per acre for a parcel of submerged land in the Indian River in Section 26,



Township 22 South, Range 35 East, easterly of and abutting Lots 7 to 21 inclusive, Second Addition to Indian River City, containing 7.7 acres, more or less. The land was advertised in the Titusville Star-Advocate and proof of publication was filed with the Trustees.

Several protests to the proposed sale were received, including letter from the Board of County Commissioners of Brevard County urging that no sale be made until right of way for U. S. Highway No. 1 was committed to the State Road Department, and stating that part of the lands had already been filled without record of any permission. Also, Senator Bernard Parrish requested that the matter of right of way be settled before considering Mr. Kirk's offer of purchase.

Without objection, the Trustees deferred consideration until a later date.

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DADE COUNTY - File No. 639-13-253.12. On April 11 the Trustees considered application by Dr. R. F. Farrington for himself and Lottie E. Tanner, the abutting upland owners, with offer of the appraised price, \$7,065.00 per acre, for purchase of submerged land in Biscayne Bay abutting uplands in Section 38, Township 54 South, Range 41 East, City of Miami, said uplands being Lots 14 and 15 of Block 104, South Brickell's Addition, as recorded in Plat Book "B", Page 113, Public Records of Dade County, Florida, containing 0.643 acres, more or less within the established bulkhead line. The land was advertised for objections only in The Miami Herald, proof of publication was filed with the Trustees, and no protest to the sale was received. Central and Southern Florida Flood Control District waived objection to the proposed sale.

Without objection, the Trustees confirmed sale to the applicant at the appraised price.

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MONROE COUNTY - File No. 906-44-253.12. On April 11 the Trustees considered offer of the established price of \$425.00 per acre from B. H. Oliver, Jr., and wife, abutting upland owners, for a parcel of submerged land in Niles Channel in Section 36, Township 66 South, Range 28 East, containing 0.65 of an acre, more or less, at Summerland Key. The land was advertised for objections only in The Coral Tribune, Key West, Florida, proof of publication was filed with the Trustees, and no protest to the proposed sale was received.

Without objection, the Trustees confirmed sale to the applicant at the established price.

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MONROE COUNTY - File No. 911-44-253.12. On April 11 the Trustees authorized advertisement for objections only upon application by Howard P. Bonebrake and wife, the abutting upland owners, with offer of the established price of \$300.00 per acre for a parcel of submerged land in the Straits of Florida in Section 5, Township 63 South, Range 38 East, containing 4.3 acres, more or less, at Plantation Key, southeasterly of and abutting Lots 5A to 10A inclusive of Plantation Shores, according to Plat Book 2, Page 78, Public Records of Monroe County. The land was advertised in The Coral Tribune, Key West, Florida, proof of publication was filed with the Trustees, and no protest to the sale was received.

Without objection, the Trustees confirmed sale to the applicant at the established price.

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MONROE COUNTY - File No. 913-44-253.12. On April 11 the Trustees authorized advertisement for objections only upon application by Doug Tower, Inc., abutting upland owner, with offer of the established price of \$250.00 per acre for purchase of a parcel of submerged land in the Straits of Florida in Section 29, Township 60 South, Range 40 East, containing 2.2 acres, more or less, at Key Largo. The land was advertised in The Coral Tribune, Key West, Florida, and proof of publication was filed with the Trustees.

Owners east of and adjacent to the applicant's upland protested the division of submerged land, but the Director explained that the frontage allocated for applicant and for those owners in Block 4 of Gulf Stream Shores Subdivision was in direct proportion to their present shore frontages. Objections were also filed by Mrs. Laura Otto Knowlson, developer of Knowlson Colony southwest of and adjacent to applicant's upland, citing uses of the property adverse to her residential development and other local problems not within the purview of the Trustees. Also, she objected to proposed extension in relation to the existing boat basin in front of her own lot and a park area, and petition was received signed by several owners in Knowlson Colony subdivision.

The Trustees examined the plat submitted and a revision in the planned bulkhead line in the area was suggested which would reduce the application area.

Upon motion duly adopted the Trustees deferred action for working out with the applicant a revision of the application and clearing of the objections, if possible.

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PALM BEACH COUNTY - File No. 910-50-253.12. On April 11 the Trustees authorized advertisement for objections only upon application by Samuel Manalan and Sloreents, Inc., abutting upland owners, with offer of the appraised price of \$10,046.73 per acre for a parcel of submerged land in Lake Worth in Section 15, Township 43 South, Range 43 East, City of West Palm Beach, 0.052 of an acre, more or less, within the established bulkhead line. The land was advertised in the Palm Beach Post, proof of publication filed with the Trustees, and no protests to the sale were received.

Without objection, the Trustees confirmed sale of the parcel to the applicants at the appraised price.

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PALM BEACH COUNTY - File No. 931-50-253.12. Harry Simmons, the abutting upland owner represented by Brockway, Weber and Brockway, applied for (a) disclaimer under Section 253.129 Florida Statutes 1957, to an area in Riviera Beach in Section 28, Township 42 South, Range 43 East containing 0.331 of an acre filled prior to the Bulkhead Act; and (b) deed to those submerged lands in Lake Worth in Section 28, Township 42 South, Range 43 East lying easterly of and abutting the parcel in (a), outward to the established bulkhead line containing 0.015 of an acre, for which offer of the minimum deed amount of \$100.00 was made, conveyance to be subject to advertisement for objections only.

Without objection, the Trustees approved issuance of the disclaimer for \$10.00 charge, and authorized advertisement of the 0.015 acre parcel for objections only.

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MANATEE COUNTY - File No. 844-41-253.12. Kathryn V. Kermode and Pauline V. Kamberis, the abutting upland owners, represented by Pillsbury Dredging Company, applied to purchase three parcels of submerged land in Section 15, Township 34 South, Range 17 East, City of Palmetto, within the established bulkhead line. Trustees' appraisal fixed the value at \$590 per acre based on value in the filled state, cost of filling, consideration of zoning and the prevailing land uses in the area, and analysis of comparable sales during the past two years.

The applicant submitted two lesser appraisals which, however, did not cite comparable sales or offer any basis for analysis of the difference in market values reported. Mr. Ed Pillsbury discussed the applicants' improvement plans and asked for a price adjustment as he felt the \$590 per acre price would be almost prohibitive.

The Kamberis title was based on 1926 conveyance of Govt. Lot 1 of Section 15-34-17 as 45 acres according to U. S. survey, the meander line being a considerable distance offshore. However, the land was sold for taxes in 1930 and 1933 as 14 1/2 acres, apparently the approximate area of actual land in Govt. Lot 1. The data submitted by

applicant did not indicate assessment and payment of taxes on the submerged land within the meander and the owners were presumed to have had knowledge of the fact that valid private ownership was limited to the upland.

The Trustees did not see any basis for reduction of the appraised value and upon motion by Mr. Green, duly adopted, the Board authorized advertisement for objections only subject to applicant's acceptance of the \$590 per acre price.

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PINELLAS COUNTY - File No. 932-52-253.12. Bulkhead Line, Sale, and Fill Permit.

Pinellas County Water and Navigation Control Authority referred to the Trustees for formal approval the bulkhead line adopted by the Authority in meeting March 23, 1961 located in "The Narrows" offshore from Government Lot 4 in Section 30, and Government Lot 1 in Section 1, all in Township 30 South, Range 15 East.

Also, the Authority approved sale to the owners of the government lots, Elnor A. Archibald Clark and W.R.A. Boben and wife, of the submerged bottoms lying between the northerly boundaries of said government lots and the bulkhead line, containing a total of 20.02 acres appraised at \$500.00 per acre. Filed with the Trustees were copy of proof of publication of sale notice, transcript of the local hearing, and also county fill permit No. DF142 to fill the submerged lands in the purchase application, subject to Trustees' approval of the sale. The transcript cited the fact that the proposal to use the Clark-Boben upland and the adjacent submerged land for spoil area had developed from a joint field inspection made by the U. S. Army Corps of Engineers, the Fish and Wild Life Commission, Pinellas County and the West Coast Inland Navigation District.

Upon motion duly adopted the Trustees formally approved the bulkhead line, confirmed sale of the 20.02 acres to the applicants at the appraised price, and approved the fill permit granted by Pinellas County Water and Navigation Control Authority.

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BULKHEAD LINES

LEE COUNTY - The Director recommended formal approval of the bulkhead line established by the Board of County Commissioners of Lee County by Resolution adopted in meeting on January 18, 1961, located in the Caloosahatchee River offshore from Government Lot 4 in Section 22 and Fractional Section 27, both in Township 45 South, Range 23 East.

Also, the Director recommended approval of the bulkhead line established by the Board of County Commissioners of Lee County in meeting on January 18, 1961, located in the Caloosahatchee River offshore from a part of Section 23, Township 45 South, Range 23 East.

Upon motion duly adopted, the Trustees formally approved the two bulkhead lines as established by the Board of County Commissioners of Lee County.

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MISCELLANEOUS

DADE COUNTY - Sioux Broadcasting Company requested approval by Trustees of proposed construction concerning which the Metropolitan Zoning Board would not grant hearing without the Trustees' approval. Applicant proposed to construct a platform for standard broadcast transmitter and four antenna towers in the offshore area southerly of Key Biscayne on a shoal east of the old Quarterdeck Club lease expiring December 12, 1962. The proposed station (with broadcast studio at Coral Gables) was approved by the Federal Communications Commission July 20, 1960, and upon approval of the Zoning Board, the firm proposed to file with the Trustees an application for lease of a 2.525 acre sovereignty area, with accurate map and description.



The Staff suggested that lease for the limited use, effective as long as so used, with annual rental of \$100 per year and cancellation for 12 months non-use with requirement for removal of installation in such event, be tentatively approved as to the plan, so that the firm would be granted public hearing by the Metropolitan Zoning Board. However, it was the opinion of the Trustees that action should be initiated by the local board before presentation at the state level, which was the usual procedure in such matters. In the discussion it was brought out that the offshore area was not within an established bulkhead line, that a short-term lease would be preferable, that no sale nor filling would be favorably considered.

Upon motion adopted unanimously, Mr. Ferguson was directed to advise the applicant that the Trustees wished to act only after approval of the application by the local authority.

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DADE COUNTY - Capt. Robert James Corkery applied for State Permit to construct artificial reef southeast from Fisher Island between Norris Cut and Bar Cut in water less than twenty feet deep, and he requested advice as to whether the Trustees were in position to cover the expense, \$16,865. The Staff, questioning the suitability of shallow area so near a port development, referred the request to the State Board of Conservation which advised that the proposed reef would be desirable. U. S. Coast & Geodetic Chart depths showed no soundings in the proposed reef area below 20 feet and the Director, calling attention to the nearness to an active expanding port, cited Section 309.01 Florida Statutes prohibiting placement of materials in harbors. Neither contribution of funds nor authorization of State Permit covering the site was recommended by the Trustees staff.

Without objection, the Trustees accepted the unfavorable recommendation of the Staff and the application was denied.

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LEE COUNTY - File No. 762-36-253.12. Without objection, the Trustees authorized issuance of corrective deed for handling charge of \$10.00 to correct an error in the description in Deed No. 22684 (762-36) dated January 12, 1961, which referred to the westerly mean high water line of Deep Lagoon instead of correctly referring to the easterly mean high water line.

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MARTIN COUNTY - On February 7, 1961 the Trustees authorized the Attorney General to take appropriate action to protect the public interest with reference to a pier constructed by Tuscay Properties, Inc., about one mile north of St. Lucie Inlet. The pier bracing obstructed the former passage which was used by vehicles. The Attorney General's office advised that efforts to have the Tuscay firm modify the pier to make vehicular passage again possible had failed.

Upon motion unanimously adopted, the Trustees confirmed the action of February 7 and directed the Attorney General to take appropriate legal action.

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PINELLAS COUNTY - Dalesta Realty Corporation, represented by Seawalls and Docks, Inc., applied for State Permit for commercial dock at Indian Rocks Beach on the Gulf of Mexico, for which Pinellas County Water and Navigation Control Authority had issued Permit No. 1940.

Governor Bryant stated that the Trustees were always mindful that the public's access to and passage along the beach should not be obstructed and expected the Staff to advise the Board. The Director reported that this application was in order, that an applicant for a permit was required to submit plan designed by a registered engineer since the public would be using the dock, and that Pinellas County carefully checked dock applications.

Upon motion duly adopted, the Trustees authorized issuance of permit for commercial dock to the applicant for \$100.00 processing fee.

POLK COUNTY - J. H. Pickelsimer applied for permit to dredge 350 cubic yards of fill material from Lake Buffum to improve his upland property described as Lots 2 and 3, Block "A" Stickney Point in Section 12, Township 31 South, Range 26 East, Polk County. The Game and Fresh Water Fish Commission had approved such work in Lake Buffum.

Without objection, the Trustees authorized issuance of permit to the applicant for removal of the requested amount of material for the minimum charge of \$25.00.

ST. JOHNS COUNTY - Marina of Palm Valley, Inc., applied for State Permit for commercial dock at applicant's upland in Section 54, Township 4 South, Range 29 East, Mestre Grant, on the St. Johns River. The Director advised that all requirements had been met and the application was in order.

Without objection, the Trustees authorized issuance of permit for commercial dock to the applicant for \$100.00 processing fee.

SUBJECTS UNDER CHAPTER 18296

Without objection the Trustees approved Report No. 787 listing 1 bid for sale of land under the Murphy Act and authorized execution of deed pertaining thereto.

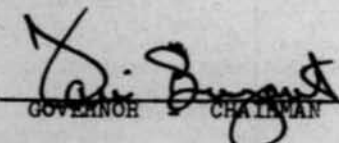
BAY COUNTY - Approval was requested for issuance of ex parte disclaimer as requested by the Attorney General to a parcel of land described as "All that part of NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 33, Township 2 South, Range 13 West, lying south and west of Bayou George, Bay County", which was included in a larger parcel of land offered for sale under the Murphy Act January 31, 1961 with highest bidder being O. E. Hobbs. However, the bid was rejected because of Attorney General's Opinion No. 058-122 and the certificate was cancelled under Chapter 20981, Acts of 1941. The Director stated that disclaimer had not been considered necessary since the certificates had been cancelled, but the applicant requested the instrument.

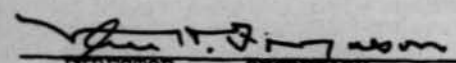
Without objection, the Trustees approved issuance of ex parte disclaimer as approved by the Attorney General's office.

INDIAN RIVER COUNTY - The United States Army Corps of Engineers, on behalf of the United States of America, applied for year-to-year lease effective June 30, 1961 with annual renewal privilege for a maximum of ten years covering Lots 16 to 33 inclusive in Block 9 of Fellsmere, with \$1.00 consideration for the lease period. The lots were required in connection with missile tests.

Without objection, the Trustees authorized issuance of the lease requested by the United States.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR      CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
May 30, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

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Van H. Ferguson	Director-Secretary
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Without objection, the Trustees approved the minutes of the meetings on May 16 and 23, 1961.

#### APPLICATIONS TO PURCHASE LAND

MONROE COUNTY - File No. 934-44-253.12. Edwin C. Waldvogel and wife, abutting upland owners, represented by G. A. Crawshaw, offered the established price of \$425.00 per acre for purchase of a parcel of submerged land in the Bay of Florida in Section 28, Township 63 South, Range 37 East, Upper Matecumbe Key, containing 0.5 of an acre, more or less.

Upon motion duly adopted, the Trustees authorized advertisement of the land for objections only.

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MONROE COUNTY - File No. 935-44-253.12. Don W. Hawley et al, as Trustees, the abutting upland owners represented by G. A. Crawshaw, offered the established price of \$425.00 per acre for purchase of a parcel of submerged land in the Bay of Florida in Section 28, Township 63 South, Range 37 East, Upper Matecumbe Key, containing 0.51 of an acre, more or less.

Upon motion duly adopted, the Trustees authorized advertisement of the land for objections only.

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MONROE COUNTY - File No. 936-44-253.12. M. D. Siderius, abutting upland owner represented by G. A. Crawshaw, offered the established price of \$425.00 per acre for purchase of a parcel of submerged land in the Bay of Florida in Section 32, Township 63 South, Range 37 East, Upper Matecumbe Key, containing 0.43 of an acre, more or less.

Upon motion duly adopted, the Trustees authorized advertisement of the land for objections only.

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MONROE COUNTY - File No. 937-44-253.12. William C. Bergstrom and wife, abutting upland owners represented by G. A. Crawshaw, offered the established price of \$300.00 per acre for purchase of a parcel of submerged land in the Straits of Florida in Section 5, Township 62 South, Range 39 East, Key Largo, containing 2.65 acres, more or less.

Upon motion duly adopted, the Trustees authorized advertisement of the land for objections only.

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MONROE COUNTY - File No. 933-44-253.12. Benigo Sanchez, the abutting upland owner, offered the established price of \$425.00 per acre for purchase of a parcel of submerged land in Niles Channel in Section 36, Township 66 South, Range 28 East, Summerland Key, containing

5-30-61



0.63 of an acre, more or less.

Upon motion duly adopted, the Trustees authorized advertisement of the land for objections only.

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MISCELLANEOUS

CHARLOTTE COUNTY - Farr and Farr, attorneys representing Warren E. McNulty, the record owner, applied for disclaimer of that part of Block "C" Solana, Plat Book 1, Page 5, landward of the present line of mean high water. The Solana plat was filed prior to 1890 and represented the shore line approximately as it was disclosed by recent survey and included land bayward from the U. S. Survey meander of 1860. The plat represented that Solana was part of Government Lot 1 of Section 32, Township 40 South, Range 23 East. The said U. S. meander was a very long straight line which the staff felt could not have represented the natural shore contour which was quite irregular with the high water mark far seaward from the meander.

Certificate by a licensed title company evidenced assesment and payment of taxes for the years 1921 to 1960 on all of the platted Block "C", and it appeared that the U. S. Patent on Government Lot 1 of Section 32, Township 40 South, Range 23 East, passed title into private ownership to the line of mean high water and there was no valid basis for State claim between meander and water.

Upon motion by Attorney General Ervin, duly adopted, the Trustees authorized issuance of ex parte disclaimer for handling charge of \$25.00.

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HIGHLANDS COUNTY - The Director recommended issuance of fill permits applied for by two upland owners to remove from bottoms of Lake Josephine in Highlands County riparian to their properties fill material to repair storm damage or otherwise improve uplands, the State Game and Fresh Water Fish Commission having approved dredging in the lake under permit provisions.

- (1) Application by Paul Asenjo for 400 cubic yards of material offshore from Lot 13, Lake Josephine Heights in Township 35 South, Range 29 East, for \$25.00 minimum charge.
- (2) Application by Mrs. Marjorie Durrance for 1300 cubic yards of material offshore from Lots 9, 10 and 11 of Block 2, Lake Josephine Subdivision in Township 35 South, Range 29 East, for \$65.00, based on standard charge.

Without objection, the Trustees authorized issuance of permits to the two riparian owners to dredge the material requested for deposit on their upland property for the stated charges.

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HILLSBOROUGH COUNTY - Tampa Electric Company offered \$5000.00 as consideration for permanent easement in and to a strip of land 75 feet wide extending from west to east across an unsurveyed island south of Govt. Lot 4 of Section 24, Township 30 South, Range 19 East in the Alafia River for transmission line and supporting steel towers approximately 141 feet high to maintain minimum of 50 feet clearance above river for the lines subject to requirements of U. S. Engineers, and for aerial easement for transmission line crossing the river between the firm's lands north and south of the river. Applicant proposed to erect and maintain a steel climb-proof fence enclosure of the ground easement area. Inasmuch as Hillsborough County desired dedication of the island for public recreation purposes subject to the easement, the application was developed in coordination with the county with particular attention to the ground easement layout, vertical clearances and fenced enclosure, and county consent for the easement was filed with the Trustees.

There was discussion, and the general consensus was to grant easement provided the plan for fencing was worked out to set the fence back from the water line, preferably at the west end of the island, to leave a passage for the public to go from one end of the island to the other.

Without objection, the Trustees authorized permanent easement to Tampa Electric Company for consideration of \$5000.00, with appropriate provisions relating to wire sag clearance and the fenced enclosure, requiring the fenced area adjusted in line with discussion on this date, with covenant binding the easement grantee to surrender the premises and to execute a recordable release upon abandonment of its easement.

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HILLSBOROUGH COUNTY - Application was presented from Hillsborough County for grant of the unsurveyed island (2.6 acres, more or less) south of Govt. Lot 4 of Section 24, Township 30 South, Range 19 East in Alafia River for public recreation purposes in perpetuity. Letter of the Chairman of the Board of the Board of County Commissioners written to accompany Tampa Electric Co. application for easement (see above item) stated that the county did not object to grant of the easement for electric transmission line facilities.

Upon motion by Mr. Larson, adopted without objection, the Trustees authorized dedication of the island for public recreation purposes under supervision and control of the Board of County Commissioners, subject to easement to Tampa Electric Company mentioned above, and subject to revocation of dedication at option of Trustees in event of three consecutive years of non-use.

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MARTIN COUNTY - Florida Inland Navigation District applied for temporary easement effective from July 1, 1961 to July 1, 1964, to deposit waterway spoil and dredged material on foreshore of Atlantic Ocean at Jupiter Island along private frontages in the subdivisions Bon Air Beach Plat No. 2, Island Beach Revised Plat No. 2 and Gomez Grant lots. The District advised that duly executed easements had been obtained from private owners whose ownerships were tabulated with reference to each proposed stockpile of material, and that the work was part of a beach stabilization program recommended by the Coastal Engineering Laboratory.

Without objection, the Trustees granted temporary easement from July 1, 1961 to July 1, 1964 to Florida Inland Navigation District as requested.

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POLK COUNTY - The Director recommended refund of \$143.54 to Edward H. Crowder, holder of Fill Permit No. 1482 authorized on February 21, 1961, for removal of 14,622 cubic yards of material from the bottoms of Crooked Lake. In issuance of the permit an overpayment of \$46.22 was inadvertently accepted and deposited. Subsequently, in order to eliminate objections from abutting owners, the applicant's engineer calculated that only 12,189 cubic yards would be used - or a reduction of 2433 cubic yards from the amount originally applied for.

Without objection, the Trustees authorized total refund to Mr. Crowder of \$143.54, or the sum of the overpayment and the unused yardage at four cents per cubic yard.

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WALTON COUNTY - Without objection, the Trustees authorized issuance of State Permit to Florida Freeport Oil Company for \$100.00 processing fee to construct and maintain commercial or industrial dock with two mooring dolphins at applicant's upland on Four-Mile Creek to replace the present dock facility.

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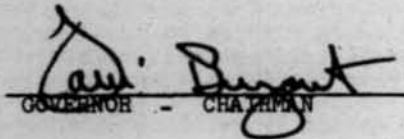
SUBJECTS UNDER CHAPTER 18296

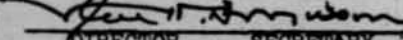
TAYLOR COUNTY - The City of Perry offered \$250.00 for conveyance under Chapter 21684, Acts of 1943, without advertisement and public sale, of Block 3 H. T. Wilder Addition except that portion lying within The E. S. Morgan Subdivision, in Section 24, Township 4 South, Range 7 East, certified to the State of Florida under the Murphy Act

under tax sale certificate No. 71 of 1918. The city, desiring to procure the land as a tax producing property, requested deed without restrictions as to use of the land, and City Clerk's letter showed \$1137.05 delinquent city taxes against the parcel.

Without objection, the Trustees authorized conveyance under Chapter 21684, Acts of 1943, to the City of Perry for the price offered.

Without objection, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
June 6, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office, in the Capitol.

Present:	Ray E. Green	Comptroller
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture
	Van H. Ferguson	Director-Secretary

Without objection, the Trustees approved the minutes of the meeting on May 30, 1961, which had been approved by the Attorney General and copies presented to each member.

#### LAND SALE

DUVAL COUNTY - File No. 821-16-253.12. The Director recommended reconfirmation of sale to the St. Regis Paper Company, abutting upland owner, of a parcel of submerged land in the Broward and St. Johns Rivers lying westerly and southwesterly of and abutting lands in Sections 19, 23, 24 and The Webb Place of Subdivision of the John Broward Grant, in Section 46, Township 1 South, Range 27 East, containing 66.371 acres within the established bulkhead line. On April 11 the Trustees approved sale of the parcel of submerged land which, however, was advertised as 42.35 acres and on April 25 new advertisement was authorized to show the correct acreage. Notice was published in the Florida Times Union, Jacksonville, Florida, proof of publication filed with the Trustees, and no protests to the sale were received.

Upon motion duly adopted, the Trustees reconfirmed sale of the 66.371 acres of submerged land to the applicant for the adjusted price of \$250.00 per acre.



## APPLICATIONS TO PURCHASE LAND

MANATEE COUNTY - File No. 929-41-253.12. Howard E. Helms and wife, the abutting upland owners, represented by James M. Wallace, offered the appraised price of \$400.00 per acre for a parcel of submerged land in Sarasota Bay in Section 11, Township 34 South, Range 16 East, containing 0.43 of an acre, within the established bulkhead line.

Upon motion duly adopted, the Trustees authorized advertisement of the land for objections only.

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MONROE COUNTY - File No. 939-44-253.12. Ava M. Hilton, the abutting upland owner, represented by Neblett, Youmans, Albury and Sauer, offered the established price of \$1000.00 per acre for a parcel of submerged land in the Bay of Florida at Hilton Haven Subdivision on the Island of Key West, containing 0.86 of an acre, more or less.

Upon motion duly adopted, the Trustees authorized advertisement of the land for objections only.

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DUVAL COUNTY - File No. 907-16-253.12. Application for Bulkhead Line and Purchase.

The Director recommended deferment for further study of the bulkhead line established by Board of County Commissioners of Duval County by Resolution adopted on January 23, 1961. The bulkhead line, located in Trout River southerly of uplands in Section 44, Township 1 South, Range 27 East and Section 48, Township 1 South, Range 26 East, extended out farther than the fill of the railroad bridge, and taking into account the established bulkhead line on the opposite side of the river, it appeared that the resulting constriction might affect river currents unfavorably.

Duval Engineering and Contracting Company, abutting upland owner, had filed application to purchase 30.67 acres of submerged land within the above proposed bulkhead line, however, by reason of recommendation for deferment of bulkhead approval, purchase application was not considered on this date.

Without objection, the Trustees deferred formal approval of the bulkhead line and directed that the matter be referred to the Coastal Engineering Laboratory for study and report.

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OKALOOSA COUNTY - File No. 940-46-253.12. Application for Bulkhead Line and Purchase.

The Director recommended formal approval of the bulkhead line established by the Board of County Commissioners of Okaloosa County by Resolution dated May 9, 1961 located in Five Mile Bayou in Section 12, Township 2 South, Range 24 West offshore from upland property of the applicant, Paramount Shopping Center, Inc.

The Trustees examined the bulkhead map and noted that the line was very conservative, straightening up the shoreline.

Also, offer of \$100.00 for the parcel was made by Paramount Shopping Center, Inc., abutting upland owner, represented by Holsberry and Emmanuel, for purchase of a parcel of submerged land in Five Mile Bayou in Section 12, Township 2 South, Range 24 West containing 0.80 of an acre, more or less, landward of the said bulkhead line.

Motion was made by Commissioner Conner, duly adopted, that the Trustees formally approve the bulkhead line established by Okaloosa County on May 9, 1961, and authorize advertisement of the parcel for objections only.

ST. JOHNS COUNTY - File No. 942-55-253.381. Frank D. Upchurch and Clara A. Hale, abutting upland owners, represented by Upchurch and Upchurch, attorneys, applied to purchase a 78.1-acre tract of unsurveyed patented (Swamp and Overflow) marsh land in Section 22, Township 5 South, Range 29 East, lying east of Intracoastal Waterway. Applicants offered \$4,535.00 for the tract, with price allocated as follows: \$100 per acre for spoil island area of 35.1 acres and \$25 per acre for 43 acres of muck area.

The Director recommended sale under Section 253.381 Florida Statutes. The 1959 law authorized sale of unsurveyed marsh with respect to upland ownership and natural divisions indicated by the course of water channels, and there would be no published notice of competitive bidding. It was noted that to bring another ownership in would separate the upland owner from the waterway and access would be through the applicant's property only.

Upon motion by Comptroller Green, duly adopted, the Trustees approved sale to the applicants for the price offered, under Section 253.381 Florida Statutes.

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#### MISCELLANEOUS

BAY COUNTY - Board of County Commissioners of Bay County requested transfer or assignment of State Permit No. 1526 for artificial reef. The Director recommended assignment to the County by the permittee, Panama City-Bay County Chamber of Commerce, subject to filing with the Trustees executed or certified copy of the instrument.

Upon motion by Mr. Green, duly adopted, the Trustees approved assignment under condition recommended by the Director.

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BAY COUNTY.- On May 2, 1961 the Trustees authorized issuance of a permit (No. 1528) to Richard E. Rice to dredge approximately 400 cubic yards of material from Pitts Bayou to use for improvement of his upland property, and Mr. Rice applied for an additional 700 cubic yards of material to be used jointly with his neighbor, Merton L. Armagast.

Upon motion by Mr. Conner, adopted without objection, the Trustees authorized supplemental permit for dredging of the additional material for \$35.00 charge.

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HARDEE COUNTY - Summerlin and Connor on behalf of Shellon, Inc., applied for quitclaim deed from Trustees to all that part of Section 31, Township 35 South, Range 27 East, lying south of Crewsville Road, title report showing applicant to be the record owner.

The records showed the following: by Tampa Patent No. 20 dated February 14, 1880, all Section 31 was patented to the State of Florida; by Deed 11664 dated February 3, 1883, the Trustees conveyed to Florida Land and Improvement Company (Hamilton Disston) said Section 31 as The E $\frac{1}{2}$ , the E $\frac{1}{2}$  of NW $\frac{1}{4}$ , the E $\frac{1}{2}$  of SW $\frac{1}{4}$  and Lots numbered one, two, three and four; official government survey of Township 35 South, Range 27 East did not show the existence of Govt. Lots 1, 2, 3 and 4.

Without objection, the Trustees authorized issuance to applicant, for handling charge of \$10.00, of quitclaim deed limited to the interest of the Trustees on February 3, 1883.

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HIGHLANDS AND ORANGE COUNTIES - Upon motion by Mr. Conner, adopted without objection, the Trustees approved issuance of fill permits to the following applicants for removal from lake bottoms riparian to their upland properties fill material to repair storm damage or otherwise improve their uplands, the Game and Fresh Water Fish Commission having approved dredging in the two lakes under permit provisions.

- (1) Lake Josephine in Highlands County - Application by A. R. Broadfoot for 400 cubic yards to be dredged offshore from Lot 8 in Lake Josephine Subdivision No. 2 in Section 32, Township 35 South, Range 29 East; \$25.00 charge.
- (2) Lake Maitland in Orange County - Application by Mrs. W. W. Martin for 300 cubic yards to be dredged offshore from Lot 8, Isle of Sicily, Winter Park; \$25.00 charge.
- (3) Lake Maitland in Orange County - Application by L. C. Mitchell for 300 cubic yards to be dredged offshore from Lot 11, Isle of Sicily, Winter Park; \$25.00 charge.
- (4) Lake Maitland in Orange County - Application by Leslie E. Simon for 300 cubic yards to be dredged offshore from upland property at 1761 Pine Tree Road, Winter Park; \$25.00 charge.
- (5) Lake Maitland in Orange County - Application by John Tiedtke for 300 cubic yards to be dredged offshore from Lot 1, Isle of Sicily, Winter Park; \$25.00 charge.

MONROE COUNTY - Lease. Joseph E. Culley and Hazel S. Culley, holders of Lease No. 431-A expiring November 8, 1970 covering an area 180 by 500 feet, requested new lease to supersede the current lease for which annual rental of \$250.00 was paid through November 8, 1961 and the account was in good standing. Hurricane Donna had demolished the buildings and other improvements which had been on pilings in open water offset approximately 50 feet from centerline of the Overseas Highway, and applicant desired to finance permanent type improvements under a Small Business Administration Loan.

The Director recommended authorization of new lease with the following provisions, agreed to by the applicant;

- (1) Relocation to offset the 180 by 500 foot lease area 117 feet from highway centerline with access easement strip not to exceed 125 feet wide for utility lines and access use only.
- (2) Lessee to fill part of leased area and access strip (latter with approval of State Road Department and to include bridge or suitable culvert), also construct masonry building within first three years, cost of filling and building to be not less than \$20,000 and building type approved by Monroe County Zoning Board.
- (3) Use of premises to be restricted to marine stores, docks, boat rentals and storage, merchandizing, restaurant and living quarters for operators.
- (4) Advertising signs to be allowed on area leased outside State Road right of way but signs on access strip to be limited to entrance and exit directional use.
- (5) All buildings, docks and other permanent type improvement to become property of Trustees at lease termination.
- (6) Lease for 25 years with rental \$200 per year first 5 years, \$300 per year next 10 years, \$500 per year for 16th through 20th years, \$600 per year for 21st through 25th years.

The location was described by Mr. Culley as approximately 500 feet northeast of Lignum Vitae Bridge south of Islamorada. The Trustees discussed the matter and the Attorney General stated that there might be objection to such buildings as detracting from scenic



beauty of the Overseas Highway and the application should be cleared with the State Road Department. Mr. Kidd stated that lessee had offered desirable facilities for tourists and fishermen and under current lease he could rebuild - but that the proposed area further offset from the highway would be better.

Upon motion by Mr. Green, seconded by Mr. Conner, and adopted, the Trustees authorized, subject to approval of the Governor and the State Road Department, issuance of a new 25-year lease to the applicants with the provisions recommended by the Director.

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SARASOTA COUNTY - Florida Board of Parks and Historic Memorials requested approval by and joinder of the Trustees in conveyance to E. A. Springstead and Nellie Mae Springstead of 1.2 acres in SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 14, Township 38 South, Range 18 East subject to reservation to the State of Florida of all oil, gas and mineral rights together with rights of ingress and egress. With assistance of the Attorney General's office, an exchange had been worked out of 1.2 acres held by the Park Board located across the waterway from the Oscar Scherer State Park for a 0.497-acre parcel in SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 14, Township 38 South, Range 18 East located on the park side of the waterway.

Upon motion by Mr. Green, duly adopted, the Trustees approved and concurred in the conveyance as requested by the Park Board.

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REPORTED FOR MINUTES - The Florida State Council of Izaak Walton League of America submitted uncertified mimeographed Resolution No. 5 requesting that all permits for removal of sand and other fill material and leases of bay bottom lands be advertised the same as submerged land sales, including map, and that an official permit be posted on property from which fill would be taken.

The Trustees accepted the information for the minutes. No action was taken.

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GLADES COUNTY - Attorney Julius Parker appeared before the Trustees on behalf of Mrs. Edna Pearce Lockett. Mr. Parker requested that the Trustees include in their letter of transmittal to Central and Southern Florida Flood Control District a statement that the Trustees were not granting any rights and reservations in properties sold to Mrs. Edna Pearce Lockett. He discussed the reservation of 130 feet from the centerline of any canal which might be cut, which was the regular reservation in Swamp and Overflow conveyances, and also the fact that the conveyance of sovereignty land to Mrs. Lockett contained a different reservation to allow works for regulation of the level of Lake Okeechobee without specification of width to be used. Mr. Parker proposed that the reservation in the sovereignty deed be construed to mean 130 feet from the centerline of the dike or canal.

The matter was discussed briefly and upon motion of Mr. Green, duly adopted, was referred to the Attorney General for study and determination of the status of the reservation for the new levee which required a right of way 900 feet wide.

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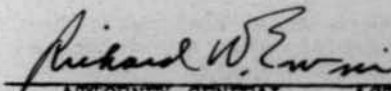
CAPITOL CENTER - Request was made for authorization to publish notice and receive sealed bids for sale and removal of frame house at 111 East Gaines Street between present office of Trustees and buildings used by the Sheriffs' Bureau. The house was used temporarily for services of a Church which requested use through June 25, 1961. The Director recommended that notice for bids require removal within a reasonable period, to be specified, after June 25. He reported that the interested party's house had burned and the building on Gaines Street was desired for replacement on the home site.

Without objection, the Trustees authorized notice and sale.

SUBJECTS UNDER CHAPTER 18296

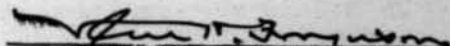
SEMINOLE COUNTY - Upon motion duly adopted, the Trustees approved dedication to the State Road Department for highway right of way purposes (Section 77030-2107, State Road 46) covering lands certified to the State of Florida in tax sale certificates No. 1417 of July 2, 1928 and No. 2854 of August 7, 1933, described as the North 29 feet of Lot 27 of Graceline Court, Sanford, Florida, Plat Book 3, Page 99 of Public Records of Seminole County.

Upon motion duly adopted, the Trustees adjourned.



ATTORNEY GENERAL - ACTING CHAIRMAN

ATTEST:

  
DIRECTOR - SECRETARY

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Tallahassee, Florida  
June 12, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Doyle Conner	Commissioner of Agriculture

Van H. Ferguson      Director-Secretary

LAND SALES

The Director presented for consideration seven (7) applications by riparian upland owners for purchase of submerged land for which the sales were advertised for objections only and scheduled for June 13, 1961. Since a quorum of the Trustees would not be present on that date, the Director recommended confirmation of the sales on this date provided that no objections were received on the advertised sale date. Details are shown in the following seven items, the lands being in Hillsborough, Monroe and Pasco Counties,

HILLSBOROUGH COUNTY - File No. 917-29-253.12. On April 18 the Trustees agreed to advertise for objections two parcels of submerged land in Tampa Bay in Section 2, Township 32 South, Range 18 East, Parcel 1 containing 1.3868 acres, Parcel 2 containing 0.07 of an acre, totaling 1.46 acres, more or less, based on offer of \$125.00 per acre made by Lyle C. Dickman, the abutting upland owner. The land was advertised in the Tampa Tribune, proof of publication filed with the Trustees, and no objection to the proposed sale was received.

Upon motion by Mr. Green, seconded by Mr. Larson and adopted, the Trustees confirmed sale to Mr. Dickman at the price offered, subject to no objections being presented on June 13 at the advertised sale time.

MONROE COUNTY - File No. 730-44-253.12. On April 18 the Trustees authorized advertisement for objections only of a parcel of submerged land in the Bay of Florida in Section 21, Township 64 South, Range 36 East, Lower Matecumbe Key, containing 0.65 of an acre, more or less, based on offer of the established price of \$425.00 per acre made by Elmer H. White, abutting upland owner. The land was advertised in the Florida Keys Keynoter, Marathon, Florida, proof of publication filed with the Trustees, and no objection to the proposed sale was received.

Upon motion by Mr. Green, seconded by Mr. Larson and adopted, the Trustees confirmed sale to Mr. White at the price offered, subject to no objections being presented on June 13 at the advertised sale time.

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MONROE COUNTY - File No. 834-44-253.12. On May 2 the Trustees authorized advertisement for objections only of a tract of bay bottom land in the Straits of Florida in Section 8, Township 66 South, Range 33 East, south of and adjacent to Lot 14A and a part of 13A of Block 6 of Key Colony Beach Subdivision containing 0.47 of an acre, more or less, based on offer of the established price of \$250.00 per acre made by Key Colony Beach Motel, Inc., the riparian upland owner. The land was advertised in the Florida Keys Keynoter, Marathon, Florida, proof of publication was filed with the Trustees, and no protest to the proposed sale was received.

Upon motion by Mr. Green, seconded by Mr. Larson and adopted, the Trustees confirmed sale to the applicant company at the price offered subject to no objections being presented on June 13 at the advertised sale time.

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MONROE COUNTY - File No. 847-44-253.12. On April 18 the Trustees authorized advertisement for objections only of a parcel of submerged land in the Straits of Florida in Section 8, Township 66 South, Range 36 East, Key Colony Beach, lying southerly of and abutting Lots 15A to 19A inclusive of Block 6 of Key Colony Beach Subdivision, containing 1.65 acres, more or less, for which the established price of \$250.00 per acre was made by E. E. Rullman, Sr., et al, the abutting upland owners.. The land was advertised in the Key West Citizen, proof of publication was filed with the Trustees, and no protest to the proposed sale was received.

Upon motion by Mr. Green, seconded by Mr. Larson and adopted, the Trustees confirmed sale to the applicants at the price offered subject to no objections being presented on June 13 at the advertised sale time.

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MONROE COUNTY - File No. 915-44-253.12. On April 25 the Trustees authorized advertisement for objections only of a parcel of submerged land in the Straits of Florida in Section 13, Township 62 South, Range 38 East, Key Largo, containing 2.17 acres, more or less, for which the abutting upland owner, Mary Rice Creekmore, offered the established price of \$300.00 per acre. The land was advertised in the Coral Tribune, proof of publication filed with the Trustees, and no protest to the proposed sale was received.

Upon motion by Mr. Green, seconded by Mr. Larson and adopted, the Trustees confirmed sale to the applicant at the price offered subject to no objections being presented on June 13 at the advertised sale time.

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MONROE COUNTY - File No. 916-44-253.12. On May 2 the Trustees authorized advertisement for objections only of a parcel of submerged land in the Straits of Florida in Section 13, Township 62 South, Range 38 East, Key Largo, containing 0.83 of an acre, more or less, for which the abutting upland owners, Ira L. Sullivan and wife, offered the established price of \$300.00 per acre. The land was advertised in the Key West Citizen, proof of publication was filed with the Trustees, and no protest to the proposed sale was received.



Upon motion by Mr. Green seconded by Mr. Larson and adopted, the Trustees confirmed sale to the applicants at the price offered subject to no objections being presented on June 13 at the advertised sale time.

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PASCO COUNTY - File No. 919-51-253.12. On May 2 the Trustees authorized advertisement for objections only of a tract of submerged land lying in the Gulf of Mexico west of and adjacent to part of Sections 5, 7 and 8, Township 25 South, Range 16 East, containing 654.8 acres, more or less, for which the abutting upland owner, Julius Wetstone, Trustee, offered the appraised price of \$150.00 per acre. The land was advertised in the Dade City Banner, proof of publication was filed with the Trustees, and no protest to the proposed sale was received.

Upon motion by Mr. Green, seconded by Mr. Larson and adopted, the Trustees confirmed sale to the applicant at the appraised price, subject to no objections being presented on June 13 at the advertised sale time.

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PALM BEACH COUNTY - The Director stated that on June 13 at the advertised time he would conduct the competitive sale authorized by the Trustees on April 25th on the basis of base bid offer of \$135.00 per acre made by A. A. Poston, that bids would be taken first on tracts on one-half section or more and then on the whole-Section 7, S $\frac{1}{2}$  of Section 8, Sections 17, 19 and 20 of Township 43 South, Range 38 East, 2,883.40 acres, more or less, in Palm Beach County.

Motion was made by Mr. Green, seconded and adopted, that the bids be received, computed, all information referred to the Governor, and the Governor was authorized to act for the Board in awarding the bid or bids to the best advantage to the State.

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#### APPLICATIONS TO PURCHASE LAND

MONROE COUNTY - File No. 945-44-253.12. Sunshine Groves Associates, Inc., abutting upland owner represented by G. A. Crawshaw, offered the established price of \$300.00 per acre for purchase of a parcel of submerged land in Blackwater Sound in Section 11, Township 61 South, Range 39 East, Key Largo, 2.6 acres .

Upon motion duly adopted, the Trustees authorized advertisement for objections only.

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MONROE COUNTY - File No. 946-44-253.12. Charles Watrous and wife, abutting upland owners represented by G. A. Crawshaw, offered the established price of \$425.00 per acre for purchase of a parcel of submerged land in the Straits of Florida in Section 28, Township 63 South, Range 37 East, Upper Matecumbe Key, containing 0.79 of an acre.

Upon motion duly adopted, the Trustees authorized advertisement for objections only.

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MONROE COUNTY - File No. 947-44-253.12. Howard H. Chamberlain and wife, abutting upland owners represented by G. A. Crawshaw, offered the established price of \$425.00 per acre for purchase of a parcel of submerged land in the Straits of Florida in Section 28, Township 63 South, Range 37 East, Upper Matecumbe Key, containing 0.82 of an acre.

Upon motion duly adopted, the Trustees authorized advertisement for objections only.

6-12-61

## MISCELLANEOUS

LANDS FOR PUBLIC PURPOSES - Governor Bryant made report and recommendations to the Trustees concerning lands for public purposes, based upon work of the Committee on Recreational Development. Following the inventory of state-owned lands in Florida the Committee obtained from the Federal Bureau of Land Management a list of lands available for public purposes, inspected the lands and selected tracts including uplands and lowlands, salt and fresh water frontage particularly suited to recreational or conservation use and in areas where little, if any, state land was available. The Governor recommended acquisition from the Federal Government at a cost of \$2.50 per acre to the Trustees certain lands in Brevard, Gulf, Citrus, Columbia, Escambia, Lake, Lee, Marion, Monroe and Walton Counties comprising approximately 444.80 acres having great value for public recreation and other public uses, at a cost of \$1,112.05 to the state.

Also, Governor Bryant recommended that the Trustees make formal request to the U. S. Bureau of Land Management for recreational land designation of certain parcels in Lee and Pinellas Counties, approximately 63.08 acres, and since those particular lands were involved in a title dispute with the Federal Government the Governor further recommended that it be made clear that the state's request for recreational designation should not prejudice the rights of the state in the title negotiations.

Upon motion made by Commissioner Conner, seconded by Treasurer Larson, and adopted, the Trustees approved immediate purchase of the 444.80 acres, more or less, from the Federal Government for use as public recreational or conservation areas, and also the Trustees authorized immediate request to the Bureau of Land Management for designation of the Lee and Pinellas County lands mentioned above for use as public recreational lands, as recommended by Governor Bryant.

PINELLAS COUNTY - Pinellas County Water and Navigation Control Authority on April 4, 1961 issued Dredge-and-Fill Permit No. DF164 to Pinellas County for the St. Petersburg-Clearwater International Airport. Issuance of the permit might be necessary under Chapter 31182, Special Acts of 1955, but public works were exempted under the General Law Section 253.126 F. S. from requirement of formal permit by the local governing body and formal approval of the Trustees. The proposed filling was within an area conveyed by Trustees to Pinellas County for public airport purposes by Deed No. 21933 dated October 17, 1958, which deed provided that the County would not fill more than 500 feet bayward from a designated promontory without formal consent of the Trustees. Permit DF164 provided for filling about 2700 feet further into Tampa Bay, and filling was reported in progress under a permit from the U. S. Army Corps of Engineers with work being done under a contract by or under supervision of the Federal Aviation authorities.

At the time deed to the County was authorized there was objection by Walter P. Fuller to filling for extension of the airport into the Bay, and he was notified by telegram June 9 that the Trustees would consider the County permit and might grant formal approval on this date. The Director advised the Board that telegram from Mr. Fuller requesting postponement was received shortly before the meeting time on this date.

Max Battle, Pinellas County Aviation Consultant, reported to the Trustees that the purpose of the filling was to provide approach lights and instrument landing system considered a major safety item urgently needed to reduce hazards for air traffic into the airport. He explained that the Pinellas County Water and Navigation Control Authority issued fill permit subject to approval of Trustees, that copy of letter from I. I. Fund to U. S. Corps of Engineers waiving objections in response to notice was considered approval, that the County felt that any delay would be critical, that it appeared that the objector had no valid basis to object to the filling, and that the filling was practically complete as to actual distance into the bay. He pointed out that unless filling was done within three years the deed provided that the land would revert to the state.

Mr. Ferguson explained that the Trustees had not given formal consent but that in waiving objection to the U. S. permit the clause in the deed restricting the filling had been overlooked, that the deed did not commit the Trustees to withhold consent, and that in normal procedure the public rights would be paramount.

After discussion of the matter, the Trustees deferred final action until the next regular meeting, scheduled for June 27, and directed that Mr. Fuller be notified to present his objections for consideration in relation to the public interest.

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PINELLAS COUNTY - File No. 922-52-253.124. Without objection, the Trustees formally approved dredge and fill Permit No. PDF119 issued by the Pinellas County Water and Navigation Control Authority to Indian Rocks Fuel Oil and Marine, Inc., the owner of submerged bottoms in "The Narrows" conveyed by Trustees Deed Nos. 20212 and 22793.

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PINELLAS COUNTY - File Nos. 121, 461, 480-52-253.124. Without objection, the Trustees formally approved dredge and fill Permit No. DF139 issued by the Pinellas County Water and Navigation Control Authority to Lorayne B. Hingst, James T. Humphries and Barney W. Laws, the owners of submerged bottoms conveyed by Trustees Deed Nos. 20863, 20864, 22364, 22365 and 22366.

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COLLIER COUNTY - Loyal Order of Moose, Naples Lodge 1782, holder of State Permit No. 1390 for construction of artificial reef, applied for extension of time for completion to November 30, 1961. Because of hurricane damage in the zone, the original six-month period for construction ending March 2, 1961 was extended four months on November 15, 1960. The Lodge reported approval of the U. S. Engineers had been received and several Civic Clubs would cooperate on the project.

Without objection, the Trustees authorized extension of time for completion by November 30, 1961.

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DADE COUNTY - On May 23 the Trustees considered request of Sioux Broadcasting Corporation, Robert A. Peterson, president, for approval of proposed construction of radio transmitter platform and four antenna towers east of the Quarterdeck Club site on a shoal in South Bay (5500 feet southerly of Key Biscayne), in order that hearing on the installation could be held by Metropolitan Dade County Zoning Board. The Trustees indicated that after approval at the local level the Board would take action. On June 6 the County Building and Zoning Department advised the Trustees that hearing could not be granted until completion of application to the County Department, which required affidavit or certificate of Trustees affirming their ownership of the site and that the data submitted on the form was believed correct.

Upon recommendation of the Director, the Trustees authorized the execution of a special certificate to the County Department affirming ownership by the Trustees and that the data presented in the application to the county was in agreement with data filed with the Trustees.

Further, the Director explained that the broadcasting corporation sought approval preliminary to or in conjunction with its application to lease the site on the shoal. The area needed, according to amended application to the Trustees, was 650 feet north and south by 225 feet east and west, 3.35 acres, in an area having water depth 2 to 4 feet. Approval of Federal Communication Commission had been granted for the station, and five-year lease of the area was suggested.

Upon motion duly adopted, the Trustees approved issuance of five year lease at \$50.00 per acre per year contingent upon approval of Dade County.

6-12-61



ESCAMBIA COUNTY - The Director recommended issuance of State Permit to O. Davis for public pier for use in connection with applicant's Marva Courts Motel on Santa Rosa Island Parcel 4-N. Applicant held lease from Santa Rosa Island Authority which approved the proposed pier. Request was for pier for private use at the motel but the plan showed connection with a picnic or recreation area, obviously for public use.

Without objection, the Trustees authorized issuance of State Permit for processing fee of \$100.00, the standard charge for public, club and commercial piers.

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FRANKLIN COUNTY - Application was presented from the City of Apalachicola for perpetual dedication of a parcel of tidal marsh land in Section 36, Township 8 South, Range 8 West, containing approximately 2.41 acres, to be dredged in order to create a navigable channel between the Apalachicola River and the Scipio Creek access channel. Robert L. Howell, Clerk of the County Court, exhibited maps and explained that the navigation improvement was required to accommodate ships going to the Florida Seafood Canning Company, a great industrial asset to the city.

Upon motion by Mr. Larson, adopted without objection, the Trustees approved perpetual dedication of the area requested for public purposes.

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HIGHLANDS, POLK, AND MARION COUNTIES - Upon motion adopted without objection, with the Governor not voting on (3), Trustees approved issuance of fill permits to the following applicants for removal from lake bottoms riparian to their upland properties fill material to repair storm damage or otherwise improve their uplands, the Game and Fresh Water Fish Commission having approved dredging in the two lakes under permit provisions.

- (1) Lake Josephine in Highlands County - Application by John J. Dey and Helen E. Haines for 450 cubic yards to be dredged offshore from Lot 6 of Subdivision 2, Plat Book Page 85, South Lake Josephine; \$25.00 charge.
- (2) Lake Buffum in Polk County - Application by C. W. Justice for 450 cubic yards to be dredged offshore from lakefront property in Section 13, Township 31 South, Range 26 East; \$25.00 charge.
- (3) Lake Weir in Marion County - Application by John Marshall Green for Leland Hurlbut, Trustee, for 1000 cubic yards to be dredged offshore from designated lots on Timucuan Island; \$50.00 charge.

The applicant's attorney, Mr. Green, advised that other property on Timucuan Island had suffered similar loss of fill during storm and heavy rains of 1960 and he would represent other applicants for similar permits as the dredging work in Lake Weir progressed.

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LEE COUNTY - Lee County, in process of developing a bond-issue highway project between Estero Island and Bonita Beach, proposed to acquire two areas along the highway with Gulf frontage for development as public recreation areas. The records showed that gross discrepancies existed between old U. S. Survey and existing land areas; in a number of instances government lots in private ownership based on the U. S. patents contained no land whatever.

The County had negotiated with three private owners along the route and proposed that bulkhead lines be established for the three private interests, two immediately north of proposed northerly public area, one south of and adjacent to the southerly public area, and that within the defined zone (2 public and 3 private areas), the

private interests should convey all their rights and titles to the Trustees who, in turn, would execute dedication for the road rights of way and drains, and a separate dedication for the two public areas, the latter to be under supervision and control of the Board of County Commissioners. The Trustees would be expected to dedicate government lots, which are submerged, for public purposes. Upon establishment of bulkhead lines for the three private interests, the Trustees would be expected to process sale of the sovereignty lands to those riparian owners, allowing acre-for-acre credit as to portions of government lots outside the bulkhead lines (not in the proposed public areas) which would be conveyed to Trustees in the transaction, the purpose being to restore privately owned submerged lands outside the bulkhead line into public ownership.

The Staff had no information as to the status of oil and mineral rights held by private owners, and the county and private owners would be expected to furnish all necessary documentary evidences of ownership. The overall plan was mapped for preliminary consideration by the Trustees, and the Governor's Recreational Development Committee on June 9 recommended presentation on this date. A great deal of staff work and time would be involved and a fair exchange of oil and mineral interests in the phase concerning private acquisitions within the bulkhead lines would be difficult to develop.

Trustees' Engineer William R. Kidd requested that authority be given to negotiate and work out the transactions.

Without objection, the Trustees indicated approval of the planning and authorized the Staff to negotiate with the private owners and the county toward the desired results and bring the matter back to the Trustees for final action.

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MADISON COUNTY - On May 16 the Trustees deferred action on application of Honorable S. D. Clarke on behalf of Mrs. W. F. Parramore, also represented by W. Paul Shelley, Jr., for disclaimer of the NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 22, Township 2 North, Range 7 East, 39.95 acres which was patented to the State of Florida July 6, 1857 and never sold as public land, but was certified to the State under the Murphy Act under tax sale certificates for unpaid assessments for years 1893-1896 inclusive, and sold under the Murphy Act to Mrs. Parramore. The Attorney General's office reviewed the file again and advised that the Trustees were estopped from asserting title under the decision in Trustees v. Lobeau, 127 So. 2nd 98.

Governor Bryant stated that it had been too late to obtain legislation to prevent loss of title to state land by reason of illegal county tax assessments, which had been discussed by the Trustees on several occasions, and that this case would be passed. However, he stated for the record that he would be against any further signing away of state lands involved in such situations.

Upon motion duly adopted, the Trustees authorized issuance of ex parte disclaimer for delivery upon payment of \$50.00.

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MONROE COUNTY - Without objection the Trustees approved for the minutes the assignment of the undivided interest of Jack Taylor in Lease Nos. 702 and 894 to John Edward Hoefinghof, holder of the other undivided interest, executed copy of the assignment having been filed with the State Land Office.

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OKALOOSA COUNTY - Without objection the Trustees authorized issuance of State Permit to Playground Marina, Inc., for extension of docks at applicant's upland fronting Santa Rosa Sound, for processing fee of \$100.00, the standard charge for commercial pier.

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PALM BEACH COUNTY - Florida Power and Light Company applied for easement for an electric distribution line across a part of the SE $\frac{1}{4}$  of Section 19, Township 43 South, Range 37 East, Palm Beach County, being part of the Glades State Prison Farm. The easement covered a

strip 10 feet in total width by 235 feet in length from the existing electric transmission line to the Belle Glade water tank located on the property and was required to service the aircraft warning light on the water tank.

Upon motion duly adopted, the Trustees approved granting the easement to the company.

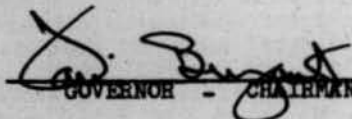
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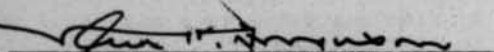
SUBJECTS UNDER CHAPTER 18296

Upon motion made by Mr. Larson and adopted, the Trustees approved Bidding Report No. 788 listing 2 bids for sale of Murphy Act lands, and authorized execution of deeds pertaining thereto.

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Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
June 27, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office, in the Capitol.

Present:	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

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Van H. Ferguson	Director
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Upon motion by Mr. Larson duly adopted, the Trustees approved the minutes of the meetings held on June 6 and 12, 1961, which were approved by the Attorney General and copies presented to each member.

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LAND SALES

PALM BEACH COUNTY - File No. 799-08-253.12. Based on offer made by A. A. Poston of \$135.00 per acre base bid for competitive sale, the Trustees on April 25 authorized the advertisement for competitive bids of Sections 7, 17, 19, 20 and S $\frac{1}{2}$  of Section 8 of Township 43 South, Range 38 East, 2865.8 acres, more or less. The land was advertised in the Palm Beach Post Times and proof of publication was filed with the Trustees.

Since a quorum would not be present on the advertised sale date, on June 12 the Board authorized Governor Bryant in its behalf to review and, in his discretion, to confirm sale to the highest and best bidder. The Director conducted the sale in accordance with authorization and published notice and competitive bidding resulted in the highest and best bid of \$253.00 per acre for the 2865.8 acres in the name of A. A. Poston or nominee. The sale was reported to Governor Bryant and upon recommendation of the Staff, the Governor confirmed the sale on behalf of the Board.

6-27-61



Without objection, the Trustees formally approved confirmation of the sale to the highest bidder.

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CHARLOTTE COUNTY - File No. 799-08-253.12. On February 28 the Trustees deferred action on application by Florian V. O'Day, abutting upland owner, to purchase submerged land in Lemon Bay in Sections 7 and 18 of Township 41 South, Range 20 East abutting and surrounding Government Lot 9 of said Section 18, containing 33.4 acres, more or less, within the established bulkhead line. The boundary of the original application area of 46.9 acres was adjusted by the staff to eliminate obstruction of existing water passage with a 29% reduction in the area to be sold, applicant accepted the outback, and all objectors to the sale were furnished details of the revision. Proposed purchase area was designed to accommodate spoil from construction of the Intracoastal Waterway.

Objections to the sale were filed by O. C. Vick, W. C. McCrone, Parker Leonard, D. L. Cook, West Charlotte County Civic Association, A. P. Westman, W. V. Roberts and R. E. Lambert, and all but the last three objected also to the revised layout. The reasons for protests were discussed, and the position of the Staff was that disposition of spoil on applicant's Government Lot 9 and the marginal submerged land within the reduced boundary was not adverse to the public interest and that the proposed filling beyond the mangrove within these limits would be preferable to the creation of a spoil island in open water.

Upon motion by Comptroller Green, duly adopted, the Trustees overruled the objections and confirmed sale of the 33.4 acres at the appraised price of \$250.00 per acre.

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PINELLAS COUNTY, File No. 954-52-253.12. On April 11 the Dredge and Fill Permit No. DFI34 issued by Pinellas County Water and Navigation Control Authority to the Bank of Clearwater, Trustee, represented by Casler, Douglas and Baxter was conditionally approved by the Trustees provided that no filling was done until the applicant had filed application to purchase in proper form with the County Authority with copy to Trustees. To the application for three parcels for the Bank of Clearwater was added application for one other parcel for Clair J. Beyer, the Authority advertised, held hearing, and approved purchase application for the four parcels of submerged land in The Narrows in Section 30, Township 30 South, Range 15 East, containing a total of 3.32 acres in the Town of Indian Rocks Beach South Shore within the established bulkhead line.

Mr. Douglas requested adjustment in price in recognition of payment of taxes on the area beyond the mean high water line, however the Trustees were not agreeable to sale for less than the appraised price of \$500.00 per acre.

Upon motion by Mr. Green, duly adopted, the Trustees confirmed sale, at the appraised price, of the three parcels applied for by the Bank of Clearwater, Trustee, and the one parcel applied for by Mr. Beyer, and also formally approved fill permit granted by the Pinellas County Authority covering the three parcels for the Bank of Clearwater.

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PINELLAS COUNTY - File No. 955-52-253.12. Clyde B. Barnes, abutting upland owner represented by William P. O'Malley, applied to purchase a parcel of submerged land in The Narrows in Section 24, Township 30 South, Range 14 East and Section 19, Township 30 South, Range 15 East, Indian Rocks Beach South Shore, containing 1.66 acres, more or less, within the established bulkhead line, for the appraised value of \$500.00 per acre. The Pinellas County Water and Navigation Control Authority on May 25, 1961 approved purchase application, issued dredge and fill permit PDF144, and filed with the Trustees proof of publication and transcript of the county hearing.

Upon motion by Mr. Green adopted without objection, the Trustees confirmed sale to the applicant at the appraised price, and formally approved the dredge and fill permit.

PINELLAS COUNTY - File No. 950-52-253.12. Clovis C. Lutz, abutting upland owner represented by William E. MacKenzie, applied to purchase a parcel of submerged land in Clearwater Harbor in Section 9, Township 29 South, Range 15 East, 0.065 acre in the City of Clearwater within the bulkhead line formally approved by Trustees on this date. Pinellas County Water and Navigation Control Authority on May 11, 1961 approved purchase application; proof of publication and transcript of the county hearing were filed with the Trustees.

Without objection, the Trustees confirmed sale of the small strip of land to the applicant based on appraised price of \$1250.00 per acre, or the minimum price of \$100.00 in this instance.

PINELLAS COUNTY - File No. 953-52-253.12. Nona B. Sharp and Alice E. Meyer, abutting upland owners represented by Ralph Richards, applied to purchase two parcels of submerged land in Clearwater Harbor in Section 9, Township 29 South, Range 15 East, 0.34 acre in the City of Clearwater within the bulkhead line formally approved by the Trustees on this date. Pinellas County Water and Navigation Control Authority on February 9, 1961 approved purchase application. Proof of publication and transcript of the county hearing were filed with the Trustees.

The Board examined the plat which showed an equitable division of submerged land made by the county for the two adjacent owners.

Without objection, the Trustees confirmed sale of the two parcels of submerged land to the applicants based on appraised price of \$1250.00 per acre.

PINELLAS COUNTY - File No. 952-52-253.12. Bulkhead Line; Purchase Application; Fill Permit.

Recommended for formal approval of the Trustees was the bulkhead line established by Pinellas County Water and Navigation Control Authority in regular meeting on May 11, 1961, located in the waters of Boca Ciega Bay at the Town of Redington Shores in Sections 31 and 32, Township 30 South, Range 15 East. Also on May 11 the County Authority approved purchase application and dredge and fill permit DF152 for George A. Dice and wife and E. A. Rittenhouse and wife. Proof of publication and transcript of the county hearing were filed with the Trustees.

The Director recommended sale to the applicants of the 2.96 acre parcel of submerged land in Sections 31 and 32 of Township 30 South, Range 15 East at the appraised price of \$500.00 per acre. The county transcript showed that the application grew out of right of way acquisition by West Coast Inland Navigation District and was directly connected with planning of the Intracoastal Waterway.

Upon motion by Mr. Larson, duly adopted, the Trustees formally approved the bulkhead line established by Pinellas County Authority on May 11, 1961, confirmed sale at the appraised price, and approved the fill permit granted to the applicants by the county.

#### BULKHEAD LINE

PINELLAS COUNTY - The Director recommended formal approval of the bulkhead lines established by Pinellas County Water and Navigation Control Authority on April 14, 1960 at the request of the City of Clearwater for waterfront properties lying in St. Joseph Sound (Clearwater Harbor) as shown on Sheets 1, 2, 3, 4 and 5 of official Pinellas County Bulkhead Maps. Deferment was recommended as to the bulkhead line on Sheets 6 and 7 of the county maps.

The Trustees examined the map sheets and noted that the bulkhead line accommodated fills in place, followed existing shore lines, allowed little extension for filling, tied in with established bulkhead lines and in general was a conservative line.

Upon motion by Mr. Green, duly adopted, the Trustees formally approved the bulkhead lines established by Pinellas County Water and Navigation Control Authority on April 14, 1960 as to the lines shown on Sheets 1, 2, 3, 4 and 5, and action was deferred on the lines on Sheets 6 and 7 of official county maps.

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#### APPLICATIONS TO PURCHASE LAND

DADE COUNTY - File No. 938-13-253.12. Card Sound Corporation, abutting upland owner represented by Hansford D. Tyler, Jr., offered the appraised price of \$265.00 per acre for purchase of a parcel of submerged land in Biscayne Bay in Section 2, Township 56 South, Range 40 East, containing 11.28 acres within the established bulkhead line.

Upon motion by Mr. Larson, duly adopted, the Trustees authorized advertisement of the parcel for objection only.

HILLSBOROUGH COUNTY - File No. 949-29-253.12. General Securities Corporation, abutting upland owner, represented by Gibbons, Gibbons, Tucker & Cofer, applied to purchase a parcel of submerged land in Tampa Bay in Section 25, Township 31 South, Range 18 East, containing 88.37 acres within the established bulkhead line.

Upon motion by Mr. Larson, duly adopted, the Trustees authorized advertisement of the parcel for objections only, sale to be based on the established price of \$100.00 per acre.

PALM BEACH COUNTY - File No. 924-50-253.12. Calig Land Company, abutting upland owner represented by Mack L. Ritchie, applied for (a) disclaimer under Section 253.129 Florida Statutes 1957 to an area in the City of Palm Beach in Section 23, Township 44 South, Range 43 East containing 1.56 acres; and (b) deed to those submerged lands in Lake Worth in said Section 23 lying westerly of and abutting the parcel in (a) above, outward to the established bulkhead line, containing 1.17 acres appraised at \$6,222.75 for the parcel, subject to advertisement for objections only.

Without objection, the Trustees approved issuance of disclaimer to the applicant for \$10.00 charge, and authorized advertisement of the 1.17 acre parcel for objections only.

SANTA ROSA COUNTY - File No. 948-57-253.12. James E. Ward, abutting upland owner represented by Ward Gravel Company, offered the appraised price of \$80.00 per acre for a parcel of submerged land in Blackwater Bay in Section 24, Township 1 North, Range 28 West and Section 19, Township 1 North, Range 27 West, containing 24.7 acres within the established bulkhead line.

Upon motion by Mr. Green, duly adopted, the Trustees authorized the land advertised for objections only.

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#### LEASES

DADE COUNTY - Daniels Towing and Drydock, Inc., applied for two-year commercial sand lease covering a sovereignty area in Atlantic Ocean approximately 1500 feet southeasterly from Cape Florida. The Director recommended two-year non-exclusive lease with royalty of 15¢ per cubic yard, monthly minimum of \$25.00, surety bond of \$5000.00, and 90-day cancellation clause.

Upon motion adopted without objection, the Trustees authorized issuance of two-year non-exclusive lease with terms as recommended by the Director.



**MONROE COUNTY** - The California Company, represented by James C. Truett, applied for modification of boundary of Tract 1 of the area in Oil and Gas Lease No. 1011. Tract 1 of the original lease granted September 14, 1955, encompassed 489,000 acres of sovereignty lands between the Marquesas Keys on the east and a line west of Loggerhead Key in the Dry Tortugas, with the description referenced to a line between Sand Key (southeast of the Marquesas) and Loggerhead Key. The corners and courses of the boundary were not accurately defined, and the south portion of the tract overlapped a considerable portion of the northerly blocks designated by the U. S. Department of the Interior, Bureau of Land Management, on its "Outer Continental Shelf Leasing Map" prepared in 1953 and used for a federal lease offering.

The California Company requested adjustment of the Tract 1 boundary northward to materially reduce the overlap and provided map and legal description accurately defining the proposed revised boundary by courses, bearings and footages with plane coordinates to establish all corners. The Director stated that the proposed revision was checked by the Staff and reviewed with the office of the Attorney General.

Inasmuch as a determination of the state's boundaries might be affected, the Attorney General requested that the Trustees defer action for further study by his office.

Upon motion by Mr. Green, seconded by Mr. Larson and adopted, the application of The California Company for modification of boundary of the leased area was referred to Mr. Ervin for further checking.

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**CHARLOTTE COUNTY** - Florida Game & Fresh Water Fish Commission submitted for Trustees' concurrence a proposed lease in favor of Eddie Holt, dated May 1, 1961, covering the Cecil M. Webb Wildlife Management Area of approximately 62,000 acres which granted exclusive right to construct fish ponds and remove marl and shell in the excavation for same.

Without objection, the Trustees approved concurrence and execution of the lease upon approval by the Attorney General.

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MISCELLANEOUS

**BRADFORD COUNTY** - Permit. Presented for formal approval was application of Freeman Register, Jr., for fill permit to remove 4267 cubic yards of material from Hampton Lake to improve his upland property fronting 2640 feet on the lake, which had been cleared with three members to allow emergency work to proceed. The Game and Fresh Water Fish Commission approved the work.

Upon motion by Mr. Larson, duly adopted, the Trustees approved issuance of the permit for \$213.35 payment, based on standard charge.

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**MARTIN COUNTY** - Permit. Presented for formal approval was application for approval of fill permit issued June 8, 1961 by the Board of County Commissioners to Dr. Albert J. Wiegand and Edwin H. Mashburn to fill submerged land within the established bulkhead line, which was conveyed by Trustees Deeds 21147 and 21148, which had been cleared with three members to allow work to proceed. The Game and Fresh Water Fish Commission approved the work.

Upon motion by Mr. Larson, duly adopted, the Trustees formally approved the fill permit issued by Martin County.

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**POLK COUNTY** - Permit. Cecil Main, represented by Guy A. McPherson, applied for fill permit to remove 500 cubic yards of material from bottoms of Lake Hartridge in Section 8, Township 28 South, Range 26 East, to improve his upland property. The Game and Fresh Water Fish Commission approved dredging in the lake under permit provisions.

Upon motion by Mr. Green, duly adopted, the Trustees approved issuance of the permit for minimum charge of \$25.00.

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BREVARD COUNTY - Permit. Without objection, the Trustees authorized issuance of state permit to Eau Gallie Yacht Club, Inc., for marina at applicant's property on the Banana River at the Town of Indian Harbour Beach for the standard \$100.00 fee.

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PINELLAS COUNTY - File No. 486-52-253.124. Permit. Upon motion by Mr. Green, duly adopted, the Trustees formally approved dredge and fill permit No. DF158 granted by Pinellas County Water and Navigation Control Authority to Florida Presbyterian College to fill submerged bottoms conveyed by the Trustees.

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PINELLAS COUNTY - On June 12 the Trustees considered filling in Tampa Bay for airport approach lights and instrument landing system and deferred action on formal approval of dredge and fill permit to Pinellas County for the St. Petersburg-Clearwater International Airport. County Aviation Consultant Max Battle explained that the work was contracted under direction of the Federal Aviation Authority to provide a major safety facility, that fill permit was issued on April 4, 1961 by Pinellas County Water and Navigation Control Authority subject to approval of Trustees, and that delay in the work would be a hazard to air traffic.

Walter P. Fuller filed objection to approval of the permit and on this date stated again that the Northeast-Southwest runway should be extended since it would be cheaper and less hazardous to the Town of Safety Harbor and other residential areas, that he had protested any filling more than 500 feet beyond the promontory without a hearing, and he charged that the county had illegally proceeded with filling. He expressed the belief that decreasing use of the International Airport did not justify proposed extension of runways.

The question of legality having been raised, the Trustees referred the matter to the Attorney General and the Staff for investigation and report, and the Director was instructed to advise the County that no runway extension, addition to the fill, or any other permanent improvement should be made without formal approval of the Trustees in open meeting.

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BROWARD COUNTY - The City of Pompano Beach, represented by City Manager Wm. H. Scovell, submitted Resolution requesting participation by Trustees in an approved beach restoration and stabilization project under provisions of Section 253.65 Florida Statutes. Coastal Engineering Laboratory reviewed plans prepared by the city's consulting engineers which included \$4500 for repairs to the South Jetty at Hillsboro Inlet, dredging of 85,000 cubic yards of sand at a cost of \$25,500, for a total cost of \$30,000 including engineering and contingencies. Mr. Scovell stated that the city had available \$15,000 from local property owners and the proposed project needed \$15,000 of Trustees' funds on a matching basis. Mr. Scovell and the city's consulting engineer, H. C. Gee, discussed the erosion damage from hurricanes and storms, the danger to private properties along the former lagoon, damage to the city's storm drainage outlet, deterioration of the South Jetty and the urgency for completion of the work prior to the fall hurricane period. Aerial photograph showed the nature and extent of the problem and it was brought out that reconstruction of the jetty would be necessary soon, as well as periodic maintenance of the restored beach.

Mr. Ervin stated that while the Trustees had a directive from the Legislature under Section 253.65 for beach erosion projects clearly for public benefit, this case appeared to involve some private property and municipal restoration of storm sewer system. It was suggested that in addition to the sum raised by the affected property owners, the city should provide funds - that the Trustees might match to the extent of \$7500.00.

Mr. Kidd, Trustees' engineer, pointed out that in the public interest in navigation and protection, work on the South Jetty was critical, that cost of complete rebuilding was estimated at \$80,000, and that the city might apply for Federal-State disaster funds.

Upon motion by Mr. Green, seconded by Mr. Ervin and duly adopted, the Trustees approved participation in the erosion control work by the City of Pompano Beach under provisions of Section 253.65 F. S. and authorized contribution of Trustees' funds in the amount of \$7,500.00, details of the formal agreement to be worked out with the Attorney General.

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ESCAMBIA COUNTY - Santa Rosa County Beach Administration requested approval for canal to be constructed across Santa Rosa Island at Navarre Beach to form an inlet to the Gulf of Mexico. The Coastal Engineering Laboratory recommended a hydraulic model study for determination of design data and effects of the inlet and recommended that preliminary approval be given contingent upon the results of the model study.

Upon motion by Mr. Larson, duly adopted, the Trustees gave preliminary approval provided the actual work would be done only after the model study was made and in accordance with the recommendations based on results of the model study.

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GLADES COUNTY - The Director requested authorization for refund of \$92.50 to J. B. Hendry and Company for overpayment of annual rental for the year beginning June 1, 1961 for Grazing Lease No. 719 which covered 800 acres between the shore of Lake Hicpochee and the lake meander line, the refund representing rental paid on 88.4 acres conveyed by Trustees in Deed No. 19894 to I. E. Scott and wife and 4.1 acres set aside as easement for Central and Southern Florida Flood Control District. The lease contained 30-day cancellation clause and the lessee was notified of cancellation as to the 92.5 acres.

Upon motion by Comptroller Green, duly adopted, the Trustees authorized refund of \$92.50 to the lessee.

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MANATEE COUNTY - West Coast Inland Navigation District, having completed the work of preparing revised descriptions for rights of way of the Intracoastal Waterway through Manatee County, proposed reconveyance to the Trustees of all rights of way originally granted in exchange for new easement incorporating the revised descriptions. Revised descriptions would include as exceptions all areas that had been conveyed by Trustees into private ownership.

The Director recommended new easement to the District and also issuance of instrument dedicating to the United States perpetual spoil easements for construction of the waterway.

Upon motion by Mr. Green, duly adopted, the Trustees authorized issuance of easement and dedication as recommended by the Director.

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TRUSTEES AS STATE EROSION AGENCY - Dr. M. E. Forsman, Assistant Director of the University of Florida Engineering and Industrial Experiment Station, requested that the Trustees participate in the \$4000 - \$5000 estimated cost of printing the study on storm tides made by the Coastal Engineering Laboratory for which approximately \$20,000 of the Station's funds were expended. The Trustees' Staff reviewed the manuscript which analyzed storm tide frequencies and offered criteria to assure stability and safety to life and property, which should provide valuable data to communities in planning waterfront development, to investors, to lending agencies and casualty underwriters.

Since participation in publication cost was not anticipated in the Trustees' budget for the new fiscal year, it was the decision of the Trustees that request for funds not be granted but that appre-



ciation should be expressed for the valuable report.

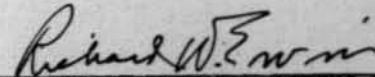
CAPITOL CENTER - On June 6 the Trustees authorized publication of notice and taking of bids for sale of the frame house and clearing the lot at 111 East Gaines Street, formerly owned by S. L. Howard. Notice was published and bids taken at the advertised time and place by the Director, State Office Building Division, who reported seven bids received. The highest bid was \$817.00 by G. Pratt.

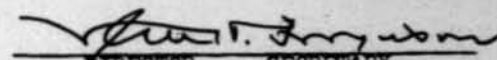
Upon motion made by Mr. Green, duly adopted, the Trustees confirmed sale to the highest bidder subject to execution of the necessary contract and performance of his obligations under it.

SUBJECTS UNDER CHAPTER 18296

Upon motion duly adopted, the Trustees approved Report No. 789 listing County of Santa Rosa Deed No. 332-Corrective to James C. Pitman issued to correct the description in original Deed No. 332 dated September 14, 1945 to Leon H. Allen.

Upon motion duly adopted, the Trustees adjourned.

  
ATTORNEY GENERAL - ACTING CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
July 5, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

ST. LUCIE COUNTY - On behalf of Fort Pierce Port and Terminal Company, Fred O. Dickinson, Jr., submitted request for an 18-month extension from September 15, 1961 for completion of development of Phase I of the port plan covered by deposit agreement entered into between the Trustees and the company September 24, 1957, which was secured by \$50,000 bond to guarantee completion of Phase I by September 24, 1960. One year extension had been granted February 2, 1960 in recognition of unanticipated problems, and the Board had advised the company that further extension would be considered upon presentation of proof and evidence showing need. The Trustees sold the submerged land, appraised at \$2060.00 per acre, to the company for \$50.00 per acre conditioned upon its use for the quasi-public port purpose and upon endorsement by St. Lucie County and other local bodies.

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Application for a further 18-month extension cited adverse effects of the general economic recession but stated that the company had completed approximately 1000 feet of spur track to the deep water bulkhead and filled about one-fifth of the submerged land scheduled for filling, had made arrangements to secure approximately 210,000 cubic yards of fill from the Central and Southern Florida Flood Control District's widening of the mouth of Taylor Creek for improvement of the port, and had purchased 200,000 yards of material from the contractor deepening the Intracoastal Waterway.

Inasmuch as the company affirmed its intention to carry forward the port development, the Director recommended that time for completion of Phase I be extended for 18 months from September 24, 1961 conditioned upon continuation of the deposit agreement and its \$50,000 surety bond, and that the extension be evidenced by supplemental agreement prepared by the office of the Attorney General.

Motion was made by Mr. Larson, seconded and adopted, that the recommendation of the Director be approved as the action of the Board.

MARION AND POLK COUNTIES - The Director recommended issuance of fill permits applied for by two upland owners to remove from lake bottoms fill material to repair storm damage or otherwise improve applicants' uplands, the State Game and Fresh Water Fish Commission having approved dredging in the lakes under permit provisions.

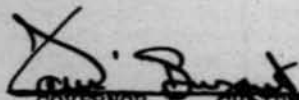
- (1) Lake Weir in Marion County - Application by Wallace E. Johnson, Jr., for 500 cubic yards of material to be dredged offshore from his property in Section 23, Township 17 South, Range 23 East, for \$25.00 minimum charge.
- (2) Lake Annie in Polk County - Application by John M. Jones for 4000 cubic yards of material to be dredged offshore from applicant's property in SE $\frac{1}{4}$  of Section 3, Township 29 South, Range 27 East, for \$200.00 charge.

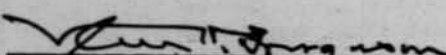
Upon motion duly adopted the Trustees authorized issuance of permits to the two riparian owners to dredge the material requested for deposit on upland properties, subject to approval of the Board of County Commissioners of Marion County as to the dredging in Lake Weir.

PALM BEACH COUNTY - The State Road Department requested dedication of 0.14 acres, more or less, for public highway right of way purposes for a portion of State Road No. 25 in Palm Beach County near South Bay (SRD No. 3, Section 93100-108). The area was described as that part of the NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 5-44-36 lying North of existing State Road 25 which lies within 50 feet Northeasterly of the survey line for said State Road.

Without objection, the Trustees approved dedication of the parcel requested by State Road Department for public highway right of way use.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
July 11, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

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Van H. Ferguson      Director - Secretary

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Without objection, the Trustees approved the minutes of the meeting held June 27, 1961, which had been approved by the Attorney General and copies presented to each member.

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LAND SALES

MANATEE COUNTY - File No. 844-41-253.12. On May 23 the Trustees considered application of Pillsbury Dredging Company on behalf of Kathryn V. Kermode and Pauline V. Kamberis, abutting upland owners, for purchase of three parcels of submerged land in Section 15, Township 34 South, Range 17 East, comprising 4.16 acres, more or less, in the City of Palmetto within the established bulkhead line. The land was appraised at \$590.00 per acre.

The parcels were advertised for objections only in the Bradenton Herald, proof of publication filed with the Trustees, and no objection to the sale was received. Letter dated June 6 from the City of Palmetto approved the proposed dredging and filling.

Upon motion duly adopted, the Trustees confirmed sale to the applicants at the appraised price of \$590.00 per acre.

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MONROE COUNTY - File No. 933-44-253.12. On May 30 the Trustees considered offer of the established price of \$425.00 per acre from Benigo Sanchez, abutting upland owner, for purchase of a parcel of submerged land in Niles Channel in Section 36, Township 66 South, Range 28 East, 0.63 of an acre at Summerland Key. The parcel was advertised for objections only in the Key West Citizen, proof of publication filed with the Trustees, and no objection was received within the thirty-day period.

An objection received on July 10th from Mrs. Julia Stokes cited possible damage to her view and waterfront property by filling, however examination of the plat indicated previous sales to the area bulkhead line, to which the Sanchez application area conformed, and the protest was not considered valid.

Upon motion adopted without objection, the Trustees overruled the objection and confirmed sale to the applicant at the price offered.

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MONROE COUNTY - File No. 934-44-253.12. On May 30 the Trustees considered application by Edwin C. Waldvogel and wife, abutting upland owners, with offer of the established price of \$425.00 per acre for purchase of a parcel of submerged land in the Bay of Florida in Section 28, Township 63 South, Range 37 East, 0.50 of an acre at Upper Matecumbe Key. The land was advertised for objections only in the Coral Tribune, Key West, proof of publication was filed with the Trustees, and no protest was received.

Upon motion duly adopted, the Trustees confirmed sale to the applicant at the price offered.

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MONROE COUNTY - File No. 935-44-253.12. On May 30 the Trustees considered offer of the established price of \$425.00 per acre from Don W. Hawley et al, as Trustees, the abutting upland owners, for purchase of a parcel of submerged land in the Bay of Florida in Section 28, Township 63 South, Range 37 East, 0.51 of an acre at Upper Matecumbe Key. The land was advertised for objections only in the Coral Tribune, Key West, proof of publication was filed with the Trustees, and no protest was received.

Upon motion duly adopted, the Trustees confirmed sale to the applicants at the price offered.

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MONROE COUNTY - File No. 936-44-253.12. On May 30 the Trustees considered offer of the established price of \$425.00 per acre from M. D. Siderius, abutting upland owner, for purchase of a parcel of submerged land in the Bay of Florida in Section 32, Township 63 South, Range 37 East, 0.43 of an acre at Upper Matecumbe Key. The land was advertised for objections only in the Key West Citizen, proof of publication was filed with the Trustees, and no protest was received.

Upon motion duly adopted, the Trustees confirmed sale to the applicant at the price offered.

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MONROE COUNTY - File No. 937-44-253.12. On May 30 the Trustees considered offer of the established price of \$300.00 per acre from William C. Bergstrom and wife, abutting upland owners, for purchase of a parcel of submerged land in the Straits of Florida in Section 5, Township 62 South, Range 39 East, 2.65 acres at Key Largo. The land was advertised for objections only in the Key West Citizen, proof of publication filed with the Trustees, and no protest was received.

Upon motion duly adopted, the Trustees confirmed sale to the applicant at the price offered.

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PALM BEACH COUNTY - File No. 931-50-253.12. On May 23 the Trustees considered application by Harry Simmons, the abutting upland owner, for purchase of a parcel of submerged land in Section 28, Township 42 South, Range 43 East, 0.015 of an acre on the western shore of Lake Worth landward of the established bulkhead, in the City of Riviera Beach. The parcel was advertised for objections only in the Palm Beach Post, proof of publication was filed with the Trustees, and no protest to the sale was received. Central and Southern Florida Flood Control District and the State Road Department waived objections to the proposed sale.

Upon motion duly adopted, the Trustees confirmed sale to the applicant for the \$100.00 minimum amount.

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ORANGE COUNTY - File No. 928-48-253.36. J. E. Partin and wife, abutting upland owners represented by Elwood Phillips, made application for a parcel of reclaimed lake bottom land in Lake Conway in Section 20, Township 23 South, Range 30 East, 1.70 acres, more or less. The purchase application was approved by the Lake Conway Water and Navigation Control District. The Director recommended sale without advertising, following the Trustees' policy of conveyance to upland owners of reclaimed lands from the original high water mark out to the 86.4 foot contour.

Without objection, the Trustees approved sale of the parcel to the upland owner at the established price of \$500.00 per acre.

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ORANGE COUNTY - File No. 958-48-253.36. Herman J. Borer and wife, abutting upland owners, made application for a parcel of reclaimed lake bottom land in Lake Conway in Section 30, Township 23 South, Range 30 East, 0.45 of an acre, more or less. The purchase appli-

cation was approved by the Lake Conway Water and Navigation Control District, and the Director recommended sale without advertising following the Trustees' policy of conveyance to upland owners out to the 86.4 foot lake contour.

Without objection, the Trustees approved sale of the parcel to the upland owner at the established price of \$500.00 per acre.

#### APPLICATION TO PURCHASE LAND

SARASOTA COUNTY - File No. 908-58-253.12. J. Velma Keen, attorney, presented application of Siesta Properties, Inc., for 3.15 acres of sovereignty land adjacent to Government Lot 5 of Section 32, Township 37 South, Range 18 East, described as the westerly half of a sovereignty area (formerly Little Sarasota Pass) bounded west by Government Lot 5 (eroded Casey Key land of applicant). The sovereignty area was bounded east by the U. S. meander of Government Lots 2 and 3, all in Section 32-37-18, the subject area being directly west from uplands of Robert E. Greatz, R. A. Holman, Elizabeth H. Peppe and F. Russell Beebe, objectors to the sale.:

The area about 1530 feet long was in litigation in the Circuit Court at suit of Siesta Properties, Inc. v. Louis C. Hart, et al, dismissed in August 1958, and opinion of the Court related storm breakthrough, inlet changes beginning in 1918, and hurricane destruction in 1926 of Casey Key (location of applicant's Government Lot 5), completely filling the sovereignty area of Little Sarasota Pass. Record ownerships of Greatz et al were bounded on the west by the former pass and those owners claimed the filled sovereignty area as accretion to their uplands and claimed estoppel against the applicant by reason of the lapse of 28 years without active assertion of claim. The Court found possession was not a factor with reference to the subject area and found no satisfactory evidence of accretion nor laches but held that title to the sovereignty area, filled by avulsion, remained in the State of Florida. The applicant sought allocation of the filled sovereignty area and purchase from the state. The Trustees' Staff felt that the division indicated on the map submitted should be amended to effect a more equal division with reference to the private owners east of the former Little Sarasota Pass (who opposed the division and sale), that since the destruction of Government Lot 5 by avulsion did not divest the record owner of title the applicant would be entitled to an allocation of part of the filled sovereignty area adjacent to its Government Lot 5.

There was discussion concerning the appraisals, and Trustees' appraisal of \$31,500 for the parcel and applicant's appraisals of \$14,800 and \$15,300 respectively were recognized as the considered judgment of the individual appraisers. The Director suggested an adjusted price for the westerly half with a like amount fixed as the total price for the easterly half in the event the objectors, or any of them, made application to purchase within six months, and that after that time the price would be subject to change by the Trustees.

Mr. Keen, W. T. Harrison, Jr., and Carl Johnson, applicant's surveyor, made presentation on behalf of the applicant, exhibited photos and over-lay maps showing the physical picture and effects of avulsion, and urged that the matter be concluded by allowing sale to Siesta Properties, Inc., of the westerly half of the sovereignty strip at the suggested adjusted price of \$23,400.

Representing objectors Holman, Peppe and Beebe, J. Lewis Hall and T. W. Butler discussed litigation and stated that there was no adjudication that the applicants owned the area or that it was sovereignty land, that there was no definite delineation of the boundaries, that objectors had paid taxes on the area for many years. Also, Mr. Greatz protested the sale, claiming that he had used and paid taxes on a portion of the area for over 25 years.

Telegrams from James A. Spanos, member of the Board of County Commissioners, stated that sale to applicant would impair the county plan for acquiring recreation facilities. Resolution was

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presented from the Sarasota County Board requesting that the Trustees deny all applications on behalf of private interests, and that if it were determined that the land should be sold, that the county would apply to purchase the Trustees' interest.

In view of the questions raised, motion was made by Attorney General Ervin, seconded by Mr. Larson and adopted, that the matter be referred to the Staff for a factual study of the area and of the appraisal, and for checking into possible use for public conservation or recreation.

#### MISCELLANEOUS

CROSS-FLORIDA BARGE CANAL - At the regular meeting of the Trustees of the Internal Improvement Fund on this date, Governor Bryant presented a resolution pertaining to the Cross-Florida Barge Canal project.

Upon motion by Commissioner Conner, seconded by Treasurer Larson, the resolution as amended at the suggestion of Attorney General Ervin was formally adopted and the Board directed that copies be forwarded to Florida's Congressional delegation, the President, and the Chairman of the Congressional Committee having this matter under consideration.

#### RESOLUTION

WHEREAS, The Cross-Florida Barge Canal project was recently subject of an attack made in secret session by U. S. Representative Ben F. Jensen of Iowa, and by another Republican representative, and

WHEREAS, these attacks completely ignored the factual conditions of both historical and current justification of the Canal, apparently being based on either political considerations or prompted by Representative Jensen's desire to obtain nearly 23 million dollars for projects in his home state at the expense of the 195 thousand dollars sought for the Canal, and

WHEREAS, these statements reflect either ignorance or disregard of the facts and figures placed before the House appropriations subcommittee considering the Canal, and

WHEREAS, these statements further ignore the great national defense significance of the Canal, recognized by President Kennedy and other leaders genuinely concerned with the welfare of the Nation and alert to the dangers posed to waterway activities in the Southern Atlantic and Gulf by the emergence of Cuba as a Communist outpost at this, the Gateway of Freedom, and

WHEREAS, the economic benefits to Florida and a score of other maritime states, and to the Nation's economy, are of secondary importance to the interests of National Defense on which authorization of the Canal is based,

NOW THEREFORE, be it resolved by the Governor and the elected constitutional Cabinet Officials of the State of Florida, in regular session assembled,

THAT the members of Florida's Congressional Delegation be, and they are herewith, urged to enlighten Representative Jensen as to the true facts of this project, and to advise other members of appropriate committees, and The Congress itself, of the importance of this project to areas far beyond Florida's boundaries, and

FURTHER, that they use their potent influence in The Congress and the Administration that no stone may be left unturned in the encouragement of the prompt



development of this vital waterways link.

Done at Tallahassee, Florida this 11th day of July  
A. D., 1961.

FARRIS BRYANT  
Governor

TOM ADAMS  
Secretary of State

RICHARD W. ERVIN  
Attorney General

RAY E. GREEN  
Comptroller

J. EDWIN LARSON  
Treasurer

THOMAS D. BAILEY  
Superintendent of Public  
Instruction

(SEAL)

DOYLE CONNER  
Commissioner of Agriculture

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ALACHUA COUNTY - Alachua County Recreation and Water Conservation and Control Authority requested deed or easement covering a parcel of Orange Lake sovereignty land 600 feet north and south by 200 feet east and west situate 80 feet east of and parallel to the centerline of U. S. Highway No. 301 in Section 16 of Township 12 South, Range 22 East immediately east of the existing causeway bridge, for construction and maintenance of a water control structure for Orange Lake to control the lake elevation at 58.4 feet. The dam was recommended in a study made by consultants for the County Authority's water control program covering Orange, Lochloosa and Newnan's Lakes, approvals were granted by the U. S. Corps of Engineers, State Game and Fresh Water Fish Commission, with tentative approval by the State Road Department. The Department of Water Resources endorsed proposal of a dam project from the water conservation standpoint. Under Chapter 57-1119 the Authority was granted the right to take and use state land, construed by Attorney General's Opinion 057-268 as subject to grant by Trustees on proper showing in a given situation, and public hearing was held August 4, 1960.

James M. Smith, Jr., on behalf of John LeMasters and Crosby Grove interests, Wartmann Grove interests, William E. Bishop and Crosby and Son, objected to the plan of the dam and failure to make provision for continued flow of water at all times to prevent harm to citrus groves in the area, and stated that drying up of the area east of Highway 301 would constitute a taking of riparian rights of his clients. He agreed with the Staff recommendation for a structure which would offer no prospect of damage to private interests.

Donald Schiesswohl of the Department of Water Resources and William R. Kidd, Trustees' engineer, both felt that the proposed structure might cause property damage, and the Staff recommended that the Trustees not accept the application for easement unless the plan was revised to provide adequate water controls.

Upon motion by Mr. Larson, duly adopted, the Trustees deferred action without prejudice until a plan was submitted which offered no prospect of damage to private interests, as recommended by the Staff.

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BREVARD COUNTY - On May 19, 1959, application of the City of Melbourne was approved for dedication of right of way for extension of Melbourne Avenue across Crane Creek in front of private riparian owners, subject to the city obtaining written consent of said owners

as required by Section 253.126, Florida Statutes. The dedication was made and the extension filled, together with the submerged land between the new street and private uplands in accordance with arrangements made between the city and the owners and under which the owners would acquire the filled area to the waters edge (established bulkhead line) subject to the dedication. Under Section 253.12 areas filled by a governing body in excess of the need for a public purpose might be conveyed to the riparian owners.

The Director recommended conveyances of the filled area with respect to the private riparian rights and subject to the public street dedication, and charge made on the basis of \$300 per acre for the area between the private uplands and street, as follows: (Sales under 253.12(1))

Bank of Melbourne & Trust Co.	0.12 acre	\$36.00
John Evans	0.22 acre	66.00
Bank of Melbourne & Trust Co.	0.16 acre	48.00
Elton Hall	0.31 acre	93.00
Florida East Coast Railway Co.	0.081 acre	24.00
Florida East Coast Railway Co.	0.017 acre	10.00 (minimum)
Carpenters Local No. 1685	0.035 acre	10.00 "
Anita Mertens	0.027 acre	10.00 "
Totals	0.97 acre	\$297.00

Upon the recommendation of the Attorney General, adopted without objection, the Trustees agreed to allow purchase by the private owners of the filled area to the street only, but that private owners should not have title beyond the street where public dedication would protect their riparian rights.

DADE COUNTY - On October 4, 1960 the Trustees authorized revised permit No. 1350 to Dade County to supersede a permit for construction of an artificial reef by Miami Beach Anglers and Boating Club which subsequently assigned its rights to the county and for which a modification of location was approved by the State Board of Conservation. Revised permit was not executed by reason of objection of the U. S. Navy which designated a new area, approved by the State Board of Conservation.

Without objection, the Trustees authorized new revision of the permit to Metropolitan Dade County Park and Recreation Department for construction of the artificial reef in the approved area in the Atlantic Ocean off Virginia Key and Key Biscayne.

DADE COUNTY - Des Rocher Sand Company, Inc., applied for two-year extension of Sand Lease No. 655-A expiring July 15, 1961 covering offshore areas near Terminal Island, west of Fisher Island and southeast of Cape Florida. The lease was nonexclusive with royalty of 15¢ per cubic yard, \$25 monthly minimum and \$3000 surety bond. The Director recommended extension or new lease, subject to review of the existing lease provisions by the Attorney General's office.

Upon motion by Mr. Larson, duly adopted, the recommendation was approved as the action of the Board.

MARION COUNTY - The Trustees heard at length from a number of persons on the subject of dredging and filling in Lake Weir in Marion County. Protesting petitions and telegrams were filed and objections were made by Sam Love, Carson Anderson and others based on charges that the work muddied the water, damaged fishing and other recreation in the lake, that a bridge to Bird Island as a water passageway for boats under the causeway road had not been kept open and maintained, and that proposed large filling operations should not be allowed. Mr. Love urged the Board to restrict filling to the months of October and November, and to grant permits to home owners only, to pump and fill small areas in front of homesites, and to cancel certain permits issued to John M. Green.

John M. Green and another owner denied that the dredging and filling damaged the lake, stated that the bridge was open at that time, that the Game and Fresh Water Fish Department's inspections found that the work would result in no significant discoloration of the waters. He asked the Trustees to grant permits to owners to improve their beaches.

Mr. Larson expressed concern on behalf of property owners who had planned to improve their uplands, he opposed cancellation of permits granted by the Board, and stated that the staff should investigate and that each application should stand on its own merits.

Mr. Ervin suggested that the Board determine if such work should be allowed only seasonally and that the staff should make recommendation with reference to any applications for large developments as distinguished from home owners.

Upon motion by Attorney General as amended by Mr. Larson and duly adopted, the Trustees referred the matter to the Staff for inspection of the property and further recommendation to the Board.

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PINELLAS COUNTY - Officials of the City of Clearwater were present, including Mayor Robert L. Weatherly, Commissioners Cleveland Insko, Jr., and Kenneth W. Walters, and Herbert M. Brown, City Attorney. Mr. Brown discussed the city's plans and negotiations over a period of years, the validation of bond issue for construction of a bridge in Clearwater Harbor over Little Pass between Clearwater Beach Island and Sand Key, and agreements worked out with Ed Wright, owner of the Key, for 100-foot right of way necessary for approach road to the bridge. On applications pending with the Trustees by Mr. Wright and other owners on Sand Key, Mr. Brown asked that any sales be conditioned upon owners giving the necessary right of way.

H. H. Baskin, Jr., told of negotiations as former City Attorney and continued employment working out the city's plans for access to the island, validation of the bonds, engineering approval for the project. He stated that Mr. Wright agreed to underwrite the bonds, and had made many commitments to the city - that the City Commission had approved it and now the Trustees' approval was desired.

Comptroller Green, being familiar with the city's project and understanding that a firm contract had been worked out with Mr. Wright contingent on his acquisition of certain properties from the Trustees, stated that his interest was in helping the city acquire the right of way.

The Director explained that the bulkhead line had been approved but no formal application made for the area now under consideration. The staff felt that the Trustees should dedicate the 100-foot right of way and charge the applicant only for the net area on both sides of the right of way at the appraised value of \$1000.00 per acre.

Since no definite application was before the Board on this date, the Governor thanked the delegation and stated that the Trustees would take the facts presented under consideration when the matter came up for action.

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SARASOTA COUNTY - File No. 959-58-253.12(1). Myers and Associates on behalf of H. Jordan Lee et al, abutting upland owners, applied for quitclaim deed to a parcel of land in Section 31, Township 36 South, Range 18 East, 0.044 acre which was filled in 1952.

Upon motion adopted without objection, the Trustees approved issuance of quitclaim deed under Section 253.12(1) Florida Statutes for \$100.00 minimum deed amount.

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UNION COUNTY - Upon motion duly adopted, the Trustees approved assignment of Contract No. 22555 by Thomas S. Miller as Trustee, et al. (the purchasers) to William L. Hall et al, the account being in good standing and executed copy of assignment and acceptance by



assignees having been filed with the Land Office.

VOLUSIA COUNTY - On behalf of Venezia "A" Inc., Venezia "B" Inc., and Venezia "C" Inc., holders of Contracts 21670, 21671 and 21672 respectively, Thomas T. Cobb and Walter Mulbry, Jr., presented request for two-year deferment of payments due in November 1960 and subsequent due payments, the Trustees on January 17, 1961 having granted 90-day extension with 1% per month penalty for the payments due November 1960. Also, they requested conveyance for rights of way of two proposed streets adjacent to a 22-acre parcel under purchase contract, and conveyance of other parcels totalling 25 acres, more or less.

As redrawn in 1958 for the present owners, Contract 21670 covered 205.75 acres at \$50 per acre, Contract 21671 covered 188.14 acres at \$105 per acre, and Contract 21672 covered 221.62 acres at \$215 per acre; in addition there was a formal agreement concerning a waterway, filling, et cetera, and on December 15, 1959 extensions of time had been granted for filling - a 10-year extension for filling Tract C and one-half of Tract A, and a 15-year extension for filling Tract B and remainder of Tract A. The Trustees on October 27, 1959 authorized conveyance of 45.3 acres (filled) of the area in Contract 21672. The three contracts aggregated \$86,783.22 and more than half of the total sum due as of May 1, 1962 had been paid on each contract.

Attorney General Ervin recalled the quasi-public nature of the development project to make useable land out of large marshy area in the heart of the City of New Smyrna Beach, had looked over the lands and discussed it locally, noted that sites had been given for schools, and he was agreeable to allowing extension of time which the company needed for making payments. Commissioner Conner had no objection to extension of time, but suggested that the state should participate to some extent when sales were made.

There was further discussion and the Director pointed out the difficulty in working out the details on all phases of the three contracts.

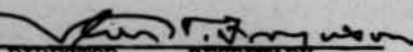
Without objection, the Trustees approved release from the contract and conveyance of the parcels requested, and granted two-year extension of time for payments due November 1960 and the payments due subsequent to said date, but without waiver of the one per cent penalty to date.

TRUSTEES' FUNDS - Authority was requested for expenditure from Trustees' funds of \$12,900 as the state's contribution for the cooperative agreement with the United States Geological Survey for continuing the program of investigation of water resources of important lakes of Florida for the 1961-1962 fiscal year. Counties and local agencies were expected to contribute \$8,100.00 which in addition to the sum from the Trustees would total \$21,000.00 to be matched by Federal funds.

Upon motion by Mr. Larson, duly adopted, the Trustees authorized expenditure from Trustees' funds in the amount of \$12,900.00 for the purpose requested.

Upon motion duly adopted, the Trustees adjourned.

ATTEST:

  
DIRECTOR - SECRETARY

  
GOVERNOR - CHAIRMAN

Tallahassee, Florida  
July 18, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture
	Van H. Ferguson	Director-Secretary

Without objection the Trustees approved the minutes of the meeting held on July 5, 1961, which had been approved by the Attorney General and copies presented to each member.

#### APPLICATIONS TO PURCHASE LAND

OSKEECHOBEE COUNTY - File No. 956-47-253.36. James R. Tompkins, the abutting upland owner, represented by T. W. Conely, Jr., applied to purchase a parcel of reclaimed lake bottom land in Lake Okeechobee landward of the government levee in Section 34, Township 37 South, Range 35 East, 2.58 acres, more or less. The Director recommended sale at the appraised price of \$175.00 per acre, without advertisement in accordance with policy for sale of reclaimed lake bottoms to upland owners.

Without objection the Trustees approved sale to the applicant at the appraised price.

PALM BEACH COUNTY - File No. 960-50-253.12. The Town of Lake Park, the abutting upland owner, represented by Brockway, Weber and Brockway, applied for (a) disclaimer under Section 253.129 Florida Statute covering an area in the Town of Lake Park in Section 21, Township 42 South, Range 43 East, containing 1.825 acres, and (b) deed to those submerged lands in Lake Worth in said Section 21 lying easterly and abutting parcel in (a) outward to the established bulkhead line, containing 4.713 acres, for grant to the town for a public park and boat ramp. The town paid the \$50.00 application fee and conveyance for municipal purposes without further cost was recommended.

Upon motion duly adopted the Trustees approved issuance of the disclaimer to the Town of Lake Park as requested, for \$10.00 charge; also, the Board approved conveyance of the 4.713 acres for municipal purposes only subject to advertisement for objections only.

#### MISCELLANEOUS

PALM BEACH COUNTY - Pelican Bay Co-Op applied for 10-year agricultural lease of the S $\frac{1}{2}$  of Section 16, Township 43 South, Range 37 East, 305.12 acres, to become effective on expiration of Lease No. 717 expiring December 31, 1963. Rental on the current lease was \$10.00 per acre per year; drainage tax of \$7.00 per acre was advanced to \$8.50 per year by the 1961 Legislature. The Co-Op, organized by war veterans, developed the land from the raw state under lease granted in 1950, the account was in good standing, and in order to get the benefits of placing part of the area into sugar production an extension of the lease period was needed and \$20 per acre per year was offered.

Upon motion duly adopted, the Trustees authorized issuance of new lease to the applicant at \$20.00 per acre per year rental to become effective at expiration of Lease No. 717.

COLLIER COUNTY - Martin J. Bowen, holder of Contract No. 21410, requested extension to September 30, 1961 for payment of balance of the final installment due November 29, 1960 in the amount of \$1009.09. On January 31, 1961 a 90-day extension beyond the 60-day grace period was authorized with one per cent per month penalty. Mr. Bowen was hospitalized several months and forwarded \$250 on the account.

Upon motion by Mr. Larson, duly adopted, the Trustees granted the extension requested with one per cent penalty interest on the unpaid balance.

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COLLIER COUNTY - The City of Naples applied for State Permit for construction of two groins at the property of H. L. Bradley in Beach Estates Section 21, Township 50 South, Range 25 East, under an agreement between the city and the owner and in accordance with study and recommendation by the Coastal Engineering Laboratory.

The city's consulting engineers paid the Engineering and Industrial Experiment Station of the University of Florida for study of erosion in the area in excess of the \$100 standard permit fee charged by the Trustees (when inspection and study was charged to Trustees), and the Director recommended that only a processing charge of \$10.00 be made to the city. Since the installation would be on private frontage, waiver of the \$600.00 bond requirement was not recommended.

Without objection the Trustees approved the recommendations of the Director for issuance of permit to the City of Naples for groins in accordance with the Laboratory recommendation, for \$10.00 charge and \$600.00 surety bond requirement.

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MARION COUNTY - On July 11th the Trustees heard complaints and considered permits for dredging and filling in Lake Weir and the staff was instructed to make further investigation. On July 5th application by Wallace E. Johnston, Jr., was approved subject to county approval for permit and sale of 500 cubic yards of material to raise the elevation of applicant's property west of Timucuan Island. The following applications were subsequently made for permits:

- (1) W. K. Goodney applied for 500 cubic yards to improve property west of Cauthon residence and east of Sam Love property;
- (2) Eugene Boyles and C. E. Sauls applied for 500 cubic yards to improve property on mainland in Sunset Harbor area;
- (3) Mrs. Louise Sigler applied for 500 cubic yards to improve property on mainland in Sunset Harbor area;
- (4) Denzel O. Ray, Clark Curchin and James G. Richardson applied for 500 cubic yards to improve one lot for each on Timucuan Island.

Dredging in the area of the above properties was approved by the State Game and Fresh Water Fish Commission. After complaints were brought to its attention, that Commission by letter July 10th affirmed that the turbidity resulting from dredging was not detrimental to fish life and that the operation was disturbing only the upper layer of soil and would not increase turbidity for any length of time.

The fact that the Board of County Commissioners of Marion County declined to consider the complaint of Sam Love indicated that the county did not wish to act on the permit. Mr. Love was heard at the Trustees' meeting last week at which time the Staff was directed to study the matter and recommend whether permits to fill and improve small ownerships by dredging would be continued, restricted or discontinued at Lake Weir.

The Staff had considered restricting dredging to the months of October through March, however that would deny certain people permits



because they were not year-round residents and postponement would subject some owners' properties to extensive damage in improvements and repairs to storm damaged property were delayed. The Trustees' engineer, William R. Kidd, inspected the area after complaint was first made by Mr. Love and concurred in the Game and Fish Commission finding. Recommendation was that permits for building lots be continued and that any case of proposed large development be checked carefully and judged on its merits. It appeared that a case in 1958 when a developer did some pumping might have caused the present alarm. As to the complaint regarding the bridge, Mr. Ferguson advised that while that developer had been required to construct a bridge for boat passage, permanent maintenance by developer was not expected.

Ernest Carr, dredger, explained the operation of his six-inch sand dredge caused only temporary local muddying, that owners wished to raise the height of their uplands and improve beaches, and urged that permits not be restricted or stopped.

Upon motion made by Mr. Larson and duly adopted, the Trustees declined to cancel the permits previously issued, reaffirmed the permit to Wallace E. Johnston, Jr., authorized issuance of permits to the four applicants listed above at the minimum charge of \$25.00 each, and approved as policy the granting of permits for improvement of small individual ownerships with limited yardage only.

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MANATEE COUNTY - File No. 844-41-253.12. The Director recommended formal approval of fill permit granted by the City of Palmetto on June 5, 1961 for filling submerged land in part of Section 15, Township 34 South, Range 17 East, between 7th Street and 10th Avenue and West of 20th Avenue to 28th Avenue. On July 11 the Trustees approved sale of 4.16 acres of submerged land to Pillsbury Dredging Company on behalf of upland owners, Kathryn V. Kermode and Pauline V. Kamberis and approval of the fill permit was inadvertently overlooked.

Without objection the Trustees approved the fill permit granted by the City of Palmetto to the applicants.

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MARTIN COUNTY - The Hobe Sound Company applied for State Permit for installation of three groins to protect an existing seawall at the company's Beach Club property at Jupiter Island in accordance with new study and recommendations made July 6, 1961 by the Coastal Engineering Laboratory. The permit would vacate and supersede authorization granted April 19, 1960 under a study made for six groins, which permit was never completed.

Upon motion by Mr. Larson duly adopted, the Trustees authorized issuance of permit to the applicant for three groins as recommended by the Coastal Laboratory with surety bond requirement of \$900.00.

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SARASOTA COUNTY - Sanderling Beach, Inc., and The Siesta Club, Inc., applied for State Permit for installation of six groins extending into the Gulf of Mexico at the applicants' properties in Section "A", Unit 1 of Siesta Properties Subdivision, in accordance with recommendation of Coastal Engineering Laboratory.

Without objection, the Trustees authorized issuance of permit to the applicant for the recommended installation with surety bond requirement of \$1800.00 and \$100.00 processing fee.

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TRUSTEES' FUNDS - Fair Buildings. Commissioner Doyle Conner discussed the background and legislation dealing with construction by city, county or fair association groups of permanent fair buildings where communities would have adequate facilities to provide educational exhibition programs showing agricultural and industrial progress. He introduced a number of Legislators and others who were sponsoring the request for release of Trustees' funds to match local funds to

continue the fair building program started by legislation in prior sessions. The following Resolution was presented:

#### R E S O L U T I O N

THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND  
OF THE STATE OF FLORIDA HEREBY MAKE AVAILABLE  
TWO HUNDRED FIFTY THOUSAND DOLLARS TO BE EXPENDED  
AS MATCHING FUNDS IN THE CONSTRUCTION OF LOCAL  
FAIR BUILDINGS.

WHEREAS, The 1961 Florida Legislature by House Concurrent Resolution No. 2862 authorized the Trustees of the Internal Improvement Fund to make available from the funds of said Trustees of the Internal Improvement Fund to the State Department of Agriculture two hundred fifty thousand dollars when matched by a local county, city or fair association for construction of local fair association buildings as authorized by Section 603.20, Florida Statutes, not to exceed the amount of twenty-five thousand dollars for any one local association, and

WHEREAS, The Trustees of the Internal Improvement Fund hereby allocate a minimum amount annually for administrative purposes;

NOW, THEREFORE, be it resolved by the Trustees of the Internal Improvement Fund that two-hundred fifty thousand dollars is hereby allocated for the construction of local fair association buildings when matched by a local county, city, or fair association and not exceeding the amount of twenty-five thousand dollars to any one association, under the conditions in Sections 603.21-603.23, Florida Statutes.

BE IT FURTHER RESOLVED by the Trustees of the Internal Improvement Fund that notwithstanding the provisions of Section 603.22, Florida Statutes, the allocation first be used by a local city or county fair association that has not heretofore participated under Section 603.22 and Section 603.20, Florida Statutes, provided however that after July 1, 1962, any amount not greater than twenty-five thousand dollars may be expended from the allocation for the construction of buildings for any one county, city or fair association from the unexpended balance of this allocation regardless of the amount previously expended under any other act for that one county, city or fair association.

BE IT FURTHER RESOLVED that the Trustees of the Internal Improvement Fund allocate a sum not to exceed twelve thousand five hundred dollars annually for administrative purposes.

W. O. Whittle, Executive Secretary of Florida Federation of Fairs, and Lamar Allen explained that funds would be administered by a committee headed by Commissioner Conner, and the amount requested for administration would cover technical services, supervision of construction of the fair buildings, with the Department of Agriculture furnishing office space and equipment.

Comptroller Green recommended that funds be granted only to groups which had received no funds from the state under the program set up by previous legislation. Mr. Conner stated that in some cases existing facilities should be expanded or modified to provide increased services. To the Resolution as presented, Commissioner Conner proposed an amendment providing that before any fair group could receive additional funds, each individual case should be reviewed by the committee and should be presented to the Trustees for justification of the request and final approval of release of matching funds.

Governor Bryant put the question as to the amendment proposed by Mr. Conner, and it was adopted without objection.

Also, without objection, the Trustees adopted the Resolution as amended and authorized release of Trustees' funds as needed to match local funds, making available \$250,000.00 for the fair building program and including in that sum an amount not to exceed \$12,500.00 annually for administrative purposes.

SUBJECTS UNDER CHAPTER 18296

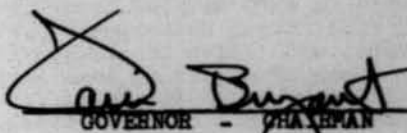
Upon motion by Mr. Larson duly adopted, the Trustees approved Report No. 790 listing two bids for sale of Murphy Act lands and authorized issuance of deeds pertaining thereto.

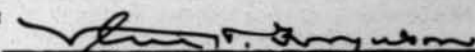
OKEECHOBEE COUNTY - C. A. Presley and wife applied for completion of sale of the unsold Murphy Act lots in the Townsite of Ossawaw. The situation was explained by the Director as follows: published notice of sale held April 28, 1952 listed 342 lots (341 lots were certified to the state;) proof of publication and affidavit evidencing payment of advertising cost was on file; the 1932 assessed value of the lots was \$110.00. Base bid rule in effect at that time was \$1.00 per lot. The correct base bid should have been \$341.00 and the total charge should have been \$462.70, however applicants represented that they paid the then Clerk of the Circuit Court (Trustees' Agent) \$149.20 which sum appeared to represent the following: \$10 for advertising cost, \$110 for Clerk's service fee, \$27.50 for base bid at one-fourth the 1932 assessed value, and \$1.70 for recording fee. Affidavit was filed showing that applicants were the only bidders at the Murphy Act sale.

The Clerk did not file a report of the bids nor remit any of the money shown to have been paid by applicants. Had such sum been remitted, the Trustees would have required the successful bidders to pay the additional sum of \$313.50 to meet the then established base bid. It did not appear possible to recover any part of the sum then due the state, paid by applicants to the then Clerk. The file was reviewed by the Attorney General and applicants appeared entitled to have the sale completed by payment of the \$313.50 additional sum.

Without objection, the Trustees approved confirmation of sale to the applicants conditioned upon their making payment of the further sum of \$313.50.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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7-18-61



The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present: Farris Bryant Governor  
J. Edwin Larson Treasurer  
Doyle Conner Commissioner of Agriculture

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Van H. Ferguson Director-Secretary

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Upon motion duly adopted, the Trustees approved the minutes of the meetings held on July 11 and 18, 1961, which were approved by the Attorney General and copies presented to all members.

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LAND SALES

MANATEE COUNTY - File No. 929-41-253.12. On June 6 the Trustees considered application by Howard E. Helms and wife, abutting upland owners represented by James M. Wallace, with offer of the appraised value of \$400.00 per acre for a parcel of submerged land in Sarasota Bay in Section 11, Township 34 South, Range 16 East, containing 0.43 of an acre, more or less, within the established bulkhead line. The land was advertised for objections only in the Bradenton Herald, proof of publication filed with the Trustees, and no protests to the sale were received.

Upon motion duly adopted, the Trustees confirmed sale of the advertised parcel to the applicants at the appraised price.

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MONROE COUNTY - File No. 939-44-253.12. On June 6 the Trustees considered application by Ava M. Hilton, abutting upland owner, with offer of the established price of \$1000.00 per acre for a parcel of submerged land in the Bay of Florida northerly of the Island of Key West at Hilton Haven Subdivision, containing 0.86 of an acre, more or less. The land was advertised for objections only in the Key West Citizen, proof of publication was filed with the Trustees, and no protest to the sale was received.

Upon motion duly adopted, the Trustees confirmed sale of the advertised parcel to the applicant at the price offered.

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MONROE COUNTY - File No. 945-44-253.12. On June 12 the Trustees considered application by Sunshine Groves Associates, Inc., abutting upland owners, with offer of the established price of \$300.00 per acre for a tract of submerged land in Blackwater Sound in Section 11, Township 61 South, Range 39 East, Key Largo, containing 2.6 acres, more or less. The land was advertised for objections only in the Coral Tribune, proof of publication was filed with the Trustees, and no protest to the sale was received.

Upon motion duly adopted, the Trustees confirmed sale of the advertised parcel to the applicant at the price offered.

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MONROE COUNTY - File No. 946-44-253.12. On June 12 the Trustees considered application by Charles Watrous and wife, abutting upland owners, with offer of the established price of \$425.00 per acre for a parcel of submerged land in the Straits of Florida in Section 28, Township 63 South, Range 37 East, Upper Matecumbe Key, containing 0.79 acre, more or less. The land was advertised for objections only in the Key West Citizen, proof of publication was filed with the Trustees, and no protest to the sale was received.

Upon motion duly adopted, the Trustees confirmed sale of the advertised parcel to the applicant at the price offered.

MONROE COUNTY - File No. 947-44-253.12. On June 12 the Trustees considered application by Howard H. Chamberlain and wife, abutting upland owners represented by G. A. Crawshaw, with offer of the established price of \$425.00 per acre for a parcel of submerged land in the Straits of Florida in Section 28, Township 63 South, Range 37 East, Upper Matecumbe Key, containing 0.82 of an acre, more or less. The land was advertised for objections only in the Key West Citizen and proof of publication was filed with the Trustees.

Objection to the sale was filed by Clarence F. Hewes, owner of adjacent lot, on the basis that the proposed extension line did not conform to the recognized bulkhead line.

Without objection, the Trustees deferred action for the Staff to make further investigation.

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OKALOOSA COUNTY - File No. 940-46-253.12. On June 6 the Trustees formally approved bulkhead line and authorized advertisement for objections only on application by Paramount Shopping Center, Inc., abutting upland owner represented by Holsberry and Emmanuel, with offer of \$100.00 for a parcel of submerged land in Five Mile Bayou in Section 12, Township 2 South, Range 24 West, 0.80 of an acre, more or less. The land was advertised in the Playground News, Fort Walton Beach, Florida, proof of publication was filed with the Trustees, and no protest was received.

The Director recommended confirmation of the sale and formal approval of fill permit granted by the County on May 9, 1961.

Without objection, the Trustees approved the sale at the price offered, \$100.00 for the parcel, and granted formal approval of the fill permit issued by the Board of County Commissioners of Okaloosa County.

PINELLAS COUNTY - File No. 964-52-253.12. Eleanor H. Merritt, abutting upland owner, represented by Ben Krentzman, offered the appraised price of \$500.00 per acre for a parcel of submerged land in The Narrows in Section 12, Township 30 South, Range 14 East and Section 7, Township 30 South, Range 15 East, Indian Rocks Beach, containing 7.80 acres, more or less, within the bulkhead line approved by the Trustees on April 11, 1961.

Pinellas County Water and Navigation Control Authority advertised the parcel and approved purchase application in regular meeting on February 9, 1961. Proof of publication and transcript of the county hearing were filed with the Trustees, the latter citing no protests to the sale.

Without objection, the Trustees approved sale of the submerged land to the upland owner at \$500.00 per acre.

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BREVARD COUNTY - On July 11 the Trustees authorized sales to the riparian owners on Crane Creek of sovereignty lands filled by the City of Melbourne between private upland and the dedicated extension for Melbourne Avenue, aggregating 0.97 of an acre at \$300.00 per acre. Applications were made for conveyances to the bulkhead line which was the south line of the street extension, and the deeds were sought subject to the public street dedication.

On March 16, 1959 the Director suggested that the city fix the bulkhead line and the riparian owners purchase the submerged land, granting right of way to the city which in turn should issue fill permits to the owners. Simultaneous filling for the street extension and private owners was contemplated. The city entered into agreement with the owners to fix bulkhead line as the south line of the street extension, to compensate owners for the submerged land between their uplands and the bulkhead line and to fill the area for the owners. In June 1959 the city submitted formal consent of the owners for construction and dedication of the street, and the city filled its street extension and the submerged land between the street and private upland.

Applications to purchase out to the bulkhead line (subject to public street dedication) were filed in December 1960, and while the consecutive steps outlined in 1959 had not been followed in that order the end result appeared the same, with the owners acquiring title to the bulkhead line to assure preservation of their riparian rights.

Reconsidering decision to sell only to the north line of the street, based on review of the record and the applications of owners for conveyances on the basis worked out between the city and the private owners, the Trustees on this date agreed with the staff recommendation for conveyances under Section 253.12(1) to the owners listed in the minutes of July 11, 1961.

Upon motion by Mr. Larson adopted without objection, the Trustees approved conveyances to the applicants of the filled parcels with respect to private riparian rights and subject to the public street dedication in perpetuity with charge on the basis of \$300.00 per acre for the area between the private uplands and the street.

#### APPLICATION TO PURCHASE LAND

MANATEE COUNTY - File No. 966-41-253.12. Longboat Enterprises, Inc., abutting upland owner, represented by Sinclair Wells, offered the appraised price of \$250.00 per acre for a parcel of submerged land in Longboat Pass in Section 15, Township 35 South, Range 16 East, Town of Longboat Key, containing 0.57 of an acre within the established bulkhead line.

Upon motion duly adopted, the Trustees authorized advertisement of the parcel for objections only.

#### MISCELLANEOUS

BREVARD COUNTY - On behalf of the United States the Corps of Engineers, Jacksonville District, applied for perpetual easement covering a spoil area for the construction of a navigation channel in the Banana River in Township 23 South, Range 37 East for military purposes of Cape Canaveral Auxiliary Air Force Base.

Without objection, the Trustees granted easement as requested.

DADE COUNTY - The Director recommended that the Attorney General be authorized to take action with reference to Coastal Barge and Towing, Inc., holder of Commercial Sand Lease No. 640-A and the bond surety thereon, the firm having defaulted and failed (1) to render accounting to Trustees for material taken during May 1961 and thereafter, (2) to pay for material reported taken in April 1961, having tendered check dated May 26, 1961 for \$275.25 which was refused by the bank, and (3) to pay the minimum sum required under the lease for the month of April and thereafter. Lessee had not responded to letters of June 8, 22 or 28, 1961, and the bond surety was furnished copy of the letters of notification dated June 22 and 28.

Without objection, the Trustees authorized the Attorney General to take appropriate action.

GLADES COUNTY - Lykes Brothers, Inc., holder of Grazing Lease No. 109 covering 148 acres in Sections 27 and 34 of Township 40 South, Range 32 East, requested one-year extension effective upon expiration on August 24, 1961 of the current lease. The land was unimproved and subject to flooding.

Upon motion by Mr. Larson, duly adopted, the Trustees authorized new one-year lease with 90-day cancellation clause at the same rental rate, \$1.00 per acre per year.

HILLSBOROUGH COUNTY - Margaret H. Green, Secretary of the Board of Supervisors of the Southwest Tampa Storm Sewer Drainage District,



submitted recommendation that the Trustees, as board of Drainage Commissioners, appoint Lem P. Woods to succeed himself as Supervisor of the District for a term of three years from the expiration of his current term, July 11, 1961. Pursuant to advertised call for land owners' meeting, less than a quorum of land owners were represented at the meeting held on July 17, 1961, no legal election could be had, and those present recommended the appointment of Mr. Woods.

Upon motion by Mr. Larson, duly adopted, the Trustees as the Board of Drainage Commissioners, appointed Lem P. Woods as Supervisor of Southwest Tampa Storm Sewer Drainage District for three-year term as requested.

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PINELLAS COUNTY - File No. 954-52-253.124. Without objection, the Trustees formally approved fill permit DF150 granted by Pinellas County Water and Navigation Control Authority in regular meeting on July 13, 1961, to Clair J. Beyer and Ruth M. Beyer to fill submerged land in "The Narrows" purchased recently from the Trustees.

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PINELLAS COUNTY - Carey and Harrison on behalf of C. T. Scanlan and C. I. Carey applied for disclaimer of that part of Government Lot 3 north of established bulkhead line in Section 20, Township 30 South, Range 17 East. As information to the Board, it was explained that Government Lot 3 of official U. S. survey was classified and patented to the State as swamp and overflowed land and subsequently conveyed by Trustees in 1883, that applicants held record title to the government lot less the south 28 acres (Florida Riviera Plat No. 1), that part of the lot was sovereignty in character and the established bulkhead line was projected across submerged portion of the lot which was owned of record by applicants under the patent and state conveyance. Under the swamp and overflow classification if more than half of a section was clearly upland, the U. S. survey and the meander was approved by the Surveyor-General even though considerable portions of the marginal area were covered by extreme tides.

No data available indicated any change by erosion, and applicants desired to clear question of title to the area landward of the bulkhead line.

Without objection, the Trustees authorized issuance of an ex parte disclaimer for handling charge of \$10.00.

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POLK COUNTY - Cecil Main applied for fill material permit on behalf of C. D. Hughes, upland owner of property on the east side of Lake Hamilton in Section 17, Township 28 South, Range 27 East, to dredge 3000 cubic yards of sand to raise the level of upland abutting the lake and to fill in washout caused by hurricane "Donna". The application was approved by the Game and Fresh Water Fish Commission.

Without objection, the Trustees authorized permit to the applicant for the material requested, for \$150.00.

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ORANGE COUNTY - The Director reported that Orange County Commissioners desired a date for appearing before the full Board with request for \$300,000.00 in connection with the county's claims for Federal Disaster Relief funds.

Governor Bryant directed Mr. Ferguson to advise the county that a full report from local authorities was expected and that a date in August would be arranged for presentation before the Trustees.

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TRUSTEES' FUNDS - Secretary of State Tom Adams requested authorization to negotiate for employment of a capable engineer at a cost of something less than \$1500.00 to make a complete study leading to overhaul of the heating and airconditioning systems in the Capitol.

Also, he requested authority to retain the services of Prentiss Huddleston, a Tallahassee architect, to draw preliminary plans for remodeling adequate space in the basement (now used as a storeroom by the office of the Secretary of State) for installation of automatic PBX equipment to be leased from the telephone company to serve the offices of the Governor and the Secretary of State, architect's fee to be based on a percentage of the cost of the work.

Governor Bryant urged that caution be taken to do long range planning, in view of the possibility of future rebuilding of the center section of the Capitol now being considered by the Capitol Building Commission. Also, the Governor suggested that the services of engineers on the state payroll might be used.

Mr. Larson pointed out that thousands of dollars had been spent for remodeling and heating of the capitol and further expenditure on the present building should be avoided. Mr. Adams stated that the Construction Division of the Board of Commissioners of State Institutions felt that unless competent engineering service was obtained, the work should not be done. He further stated that he was not asking for funds for remodeling but for a study by a professional heating engineer and architect's preliminary plans to be brought back to the Trustees.

Upon motion by Commissioner Conner adopted without objection, the Secretary of State, as chairman of the Capitol Building Commission, was authorized to proceed as expeditiously as possible on the heating study and if outside consulting engineer was required, an amount not in excess of \$1500.00 was authorized from Trustees' funds; also authority was given to proceed with negotiation with Mr. Huddleston for the desired plans at the customary architect's fee, with payment from Trustees funds up to \$1000.00.

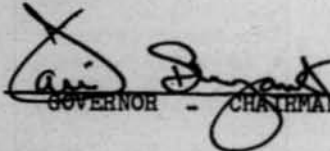
#### SUBJECTS UNDER CHAPTER 18296

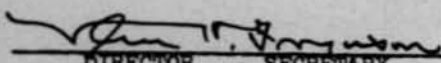
Upon motion duly adopted the Trustees approved Report No. 791 listing one-bid for sale of Murphy Act land and authorized execution of deed pertaining thereto.

MONROE COUNTY - F. E. Kitchens and D. R. Smith requested refund of \$133.75, the amount received by the State for land erroneously conveyed in Monroe County Murphy Act Deed No. 611 dated December 6, 1944 described as Lots 1 and 2 Howe's Key, Section 25-65-28 and Lot 2 Howe's Key, Section 5-66-29, being U. S. land at the time it was erroneously assessed, tax certificates erroneously issued and certified to the state. When sold under the Murphy Act, the U. S. had not divested itself of title. Grantees in the Murphy Act deed executed quitclaim deed to the United States.

Upon motion by Mr. Larson duly adopted, the Trustees authorized refund of \$133.75 to the applicants.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

Tallahassee, Florida  
August 1, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office at the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Doyle Conner	Commissioner of Agriculture

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Van H. Ferguson                      Director-Secretary

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Mr. Larson asked that the minutes of the last meeting be corrected to show that the remodeling in the basement of the capitol, for which the Trustees authorized the Secretary of State to secure architect's plans, was not for the State Treasurer's Office.

Without objection, the Trustees ordered the minutes to be corrected and presented at the next meeting for approval.

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ORANGE COUNTY - File No. 967-48-253.36. Hugo R. Broleman, Jr., the abutting upland owner, applied to purchase a parcel of reclaimed lake bottom land in Lake Hart in Section 21, Township 24 South, Range 31 East, Orange County, lying between the original government meander and the 60-foot elevation MSL contour, containing 1.15 acres, more or less. The staff recommended conveyance without advertisement at the established price of \$50.00 per acre, or in this instance \$100.00 minimum deed amount.

Without objection, the Trustees approved sale of the parcel to the abutting upland owner as recommended by the staff.

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GLADES COUNTY - Application was made pursuant to Section 253.37 Florida Statutes by the United States Sugar Corporation, as the adjacent upland owner, to purchase the following three tracts of reclaimed Lake Okeechobee bottom lands aggregating 398.3 acres, more or less:

- (a) 142 acres, more or less, in S $\frac{1}{2}$  of Section 15 and in N $\frac{1}{2}$  of Section 22 of Township 42 South, Range 33 East, in Grazing Lease No. 817 to J. E. Wiggins which expired August 2, 1961;
- (b) 44 acres in E $\frac{1}{2}$  of Section 16, Township 42 South, Range 33 East, in Grazing Lease No. 1399 to Fisher W. Ange which was subject to cancellation on 90 days written notice;
- (c) 212.3 acres in Sections 16 and 17 of Township 42 South, Range 33 East, in Grazing Lease No. 609 held by Ray D. Chamberlain which was subject to cancellation in event of sale of the land.

The matter of invoking the cancellation clause was reviewed with the office of the Attorney General and the right of the adjacent upland (riparian) owner to purchase reclaimed lake land under Section 253.37 Florida Statutes was deemed paramount to rights of lease tenants. The Director recommended that ninety-day notice be given to holders of Leases 1399 and 609, that holder of Lease 817 be allowed ninety-day extension of his lease which expired August 2, 1961, and that sale of the three parcels be made at the end of ninety-day period at the appraised price of \$100.00 per acre and requirement of filing of ownership certificate by a title company as to the adjacent upland, and a survey. He further recommended

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that the pro-rata part of rental prepaid for Lease 1399 beyond the 90-day cancellation date be refunded.

The Trustees deferred action for further checking on the character and value of the land.

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FLAGLER COUNTY - H. T. Cook on behalf of Marine Studios, Inc., applied for five-year lease of the area between high and low water marks of the Atlantic Ocean adjacent to applicant's property. The area was originally in Lease No. 206 granted in 1941 and subsequently renewed. On August 7, 1956 new lease No. 1059, granted for five years with one-year cancellation clause at \$10.00 per year rental, allowed the lessee to maintain barriers at the north and south end of the leased foreshore strip to prevent vehicular traffic but specifically allowing bathing and other public beach use.

Since the existing lease did not restrict the right of the public to enjoy the beach but only allowed prohibition of vehicular traffic, the staff recommended extension.

Upon motion by Mr. Larson, adopted without objection, the Trustees approved five-year extension of Lease No. 1059 on the same terms and conditions.

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MARION COUNTY - J. W. Brown applied for permit to dredge 200 cubic yards of material from lake bottoms offshore from his upland property described as Lots 2 and 3, Block B, Turner Park Subdivision on the northeast shore of Lake Kerr to restore his property to normal level after erosion caused by high water. The Game and Fresh Water Fish Commission approved dredging in Lake Kerr under permit provisions.

Without objection the Trustees authorized issuance of permit for the minimum charge, \$25.00.

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PALM BEACH COUNTY - On June 27 the Trustees confirmed sale of 2865.8 acres in Sections 7, 8, 17, 19 and 20 in Township 43 South, Range 38 East, on the high bid of A. A. Poston as agent, whose bid was assigned to Sam Senter Farms, Inc., \$75,000.00 was paid at the time of sale to be applied on the initial payment of \$181,261.86 as 25% of the purchase price (required for purchase contracts) and thirty days was allowed for execution of the contracts.

The purchaser asked for an additional fifteen days to complete payment of 20% of the total purchase price and that the contracts be made in the usual manner for payment of the balance in nine semi-annual installments with 6% interest, to enable the purchaser to proceed with improvements as well as the financing.

Since the magnitude of the sale and the circumstances appeared to justify modification in this instance, the staff recommended the modification with 15 days for execution of the contracts and payment of the remainder of the 20% of the purchase price.

Upon motion by Mr. Conner, seconded by Mr. Larson and adopted, the Trustees authorized the modification, requesting, however, that the purchaser's financial statement be furnished for examination by the Board since modifying of usual purchase contract was involved.

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PALM BEACH COUNTY - Johnson, Williams and Motsinger requested corrective deeds to clarify Trustees' Deeds 18084, 18177 and 18226 by having the legal description identified with the State Survey of Township 42 South, Range 37 East on file in the office of the Commissioner of Agriculture, reference to the State Survey having been omitted in the original deeds.

Without objection the Trustees authorized issuance of three corrective deeds to The Holgate Company, present record owner, at \$10.00 charge for each.

PINELLAS COUNTY - Bulkhead Line. Presented for approval was the bulkhead line fixed June 26, 1959 by Pinellas County Water and Navigation Control Authority on application by the City of St. Petersburg. The bulkhead line was located beginning at the South corporate limit of the City of Oulfport and proceeding to Sunshine Skyway, and thence Northerly and Easterly to the East line of Section 14, Township 32 South, Range 16 East (projection of 22nd Street South). The Director pointed out that the portion of the bulkhead line within right of way of Sunshine Skyway should be excepted, since bulkhead lines were established to fix the limits of private expansion.

Upon motion duly adopted, the Trustees formally approved the bulkhead lines fixed June 26, 1959 by Pinellas County Water and Navigation Control Authority for the City of St. Petersburg, less that portion of the bulkhead line within the right of way of the Sunshine Skyway.

POLK COUNTY - A delegation from Polk County including C. C. Street, General Chairman of Polk County Centennial Committee, presented request for \$26,000, being the budget for casting and presentation of a county centennial pageant. Mr. Street said that the county financed the production at a cash outlay of \$26,242 and offered to sell the original pageant to the Trustees for promotion and advertisement of the state at large.

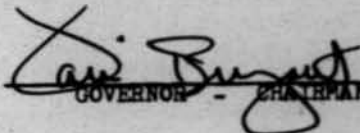
The Governor suggested that the county might have requested an appropriation from the Legislature, that it did not appear within the jurisdiction of the Trustees to expend funds for such promotional projects, and it might be a bad precedent. Mr. Larson stated that in the event the Board should find that there was legal ground for using Trustees' funds, it should be a loan.

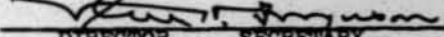
Without objection the Trustees referred the request of Polk County Centennial Committee to Governor Bryant to explore possible source of funds with the Development Commission and legal authority with the Attorney General.

CAPITOL CENTER - Authority was requested for Bill Armstrong, Building Expediter, to advertise and take bids for removal of the frame duplex building at 216-218 W. Madison Street owned by the Trustees. The building, known as the Vivian Tully house, was unoccupied, deteriorating and not suitable for agency occupancy.

Upon motion by Comptroller Green adopted without objection, the Trustees authorized Mr. Armstrong to proceed with advertisement and sale of the house.

Upon motion duly adopted the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
August 8, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office at the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

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Van H. Ferguson                      Director-Secretary

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Upon motion duly adopted, the Trustees approved the minutes of the meetings held on July 25 and August 1, 1961.

#### LAND SALE

MONROE COUNTY - File No. 947-44-253.12. On July 25 the Trustees deferred action on offer of the established price of \$425.00 per acre from Howard H. Chamberlain and wife, riparian upland owners, for purchase of a parcel of submerged land in the Straits of Florida in Section 28, Township 63 South, Range 37 East, at Upper Matecumbe Key, containing 0.82 of an acre, more or less. Objection received from Clarence P. Hewes, owner of upland west of and adjacent to the Chamberlain upland and owner of submerged land west of and adjacent to the application area, purchased in 1958 (Deed No. 21923), was based on the apparent failure of the Chamberlain application to conform to the offshore limit or bulkhead line within which Hewes owned.

Investigation disclosed that the Hewes conveyance did not conform to the offshore limit of sales made immediately west of Hewes and east of Chamberlain by reason of discrepancy in the location of the shore line at mean high water for Hewes, and the Staff recommended corrective deed to Hewes based on the corrected shore line, which would resolve the objection, align the contiguous submerged parcels to the area bulkhead line and would not involve grant of any additional submerged land to Hewes.

Upon motion duly adopted the Trustees authorized issuance of corrective deed to Clarence P. Hewes and confirmed sale of the advertised parcel, 0.82 of an acre more or less, to Howard H. Chamberlain and wife at the price offered.

#### APPLICATIONS TO PURCHASE LANDS

CHARLOTTE COUNTY - File No. 961-08-253.12. Martin J. Clyman and wife et al, the abutting upland owners, represented by Farr and Farr, made application to purchase a parcel of sovereign land in Peace River in Section 28, Township 40 South, Range 23 East, 25.41 acres, more or less, appraised at \$250.00 per acre.

Upon motion duly adopted, the Trustees authorized advertisement for objections only.

MONROE COUNTY - File No. 963-44-253.12. C. Larry Gardner, abutting upland owner, made application to purchase a parcel of submerged land in Niles Channel in Section 36, Township 66 South, Range 28 East, 0.21 of an acre at Summerland Key, for which the established price was \$425.00 per acre or in this instance the \$100.00 minimum amount.

Upon motion duly adopted, the Trustees authorized advertisement for objections only.



GLADES COUNTY - The Trustees considered further the three tracts of reclaimed Lake Okeechobee bottom lands aggregating 398.3 acres, more or less, for which the United States Sugar Corporation offered the appraised price of \$100.00 per acre. On August 1st the Board deferred action on cancellation of Grazing Leases 817,1399 and 609 covering the land in the application, for further information on the value of the land.

Review of the appraisal report showed that appraiser had inspected the area, consulted the local representative of the U. S. Soil Conservation Service and a drainage engineer, and reported the appraised parcel was extremely wet, organic land suitable for pasture only during winter or dry seasons, subject to flooding to 1 to 1½ feet by wind tides and seepage under the levee and seepage from higher land in the vicinity.

Commissioner Conner noted that the land value based on potential uses other than grazing was not fully disclosed and since comparable sales in the area were few, the Board decided to have an inspection made of the land by the Trustees' Engineer, William R. Kidd.

Upon motion by Mr. Larson adopted without objection, the Trustees authorized 90-day extension from August 3, 1961 of Lease No. 817 covering a portion of the land in question, and the Trustees deferred action on the application of U. S. Sugar Corporation.

#### BULKHEAD LINES

BREVARD COUNTY - Presented for formal approval was the bulkhead line adopted by the City Council of the City of Palm Bay by Ordinance No. 44 passed on May 4, 1961, the bulkhead line extending from the north limits to the south limits of the city along the Indian River.

Without objection, the Trustees formally approved the bulkhead line as established by City of Palm Bay Ordinance No. 44.

DUVAL COUNTY - Presented for formal approval was the bulkhead line adopted by the City Council of the City of Jacksonville by Ordinance No. EE-309 passed on July 11, 1961, re-establishing that part of the bulkhead line on the south side of the St. Johns River easterly of the St. Elmo Acosta Bridge and JHL 27, within the territorial area of the City of Jacksonville. The city had complied with provisions of the Bulkhead Act for changing the bulkhead line, including published notice and notice to riparian owners within one thousand feet.

Without objection, the Trustees formally approved the bulkhead line as established by the City of Jacksonville by Ordinance No. EE-309.

SARASOTA COUNTY - Presented for formal approval was the bulkhead line re-established by the Board of County Commissioners of Sarasota County, sitting as the Sarasota County Water and Navigation Control Authority, by Resolution adopted on March 1, 1961, located offshore from certain lands in Section 18, Township 37 South, Range 18 East, in Sarasota Bay. The Director explained that it was a short segment where the line had first been located one foot offshore.

Without objection, the Trustees formally approved the bulkhead line as established by Sarasota County.

VOLUSIA COUNTY - Presented for formal approval was the bulkhead line established by the City of Daytona Beach by Ordinance No. 61-49 adopted on April 27, 1961, for all property abutting the Halifax River, east and west shores, within the corporate limits of the city.

Without objection, the Trustees formally approved the bulkhead line as established by the City of Daytona Beach.

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#### LEASES

STATE SALVAGE LEASE NO. 1329 - Letter from the Florida State Museum was presented concerning two cannons from a vessel sunk in 1715, recovered by holder of Lease No. 1329, Real Eight Salvage Co., which had proposed presentation of one of the cannon to the Missile Base at Cape Canaveral. The Museum suggested that the National Park Service also needed a cannon of the same period.

The Board, on motion made by Mr. Ervin, seconded and carried, gave consent for the presentation of the two cannons on condition that written request be made by the Commanding Officer of the Missile Base, with assurance that the cannon would be preserved and displayed in Florida and agreeing to take care of transportation of the cannon to the base, and that written consent of the Real Eight Salvage Company be filed signifying its intention to present the cannon with the joinder of the Trustees since the firm is entitled under its lease to 75% of the value of items recovered. Similar procedure was directed for disposition of the second of the two cannons in the event the same is sought by the National Park Service.

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STATE OIL AND GAS LEASE NO. 1011 - Attorney General Ervin reported to the Trustees on the request of The California Company for modification of boundary of the area in Lease No. 1011, which on June 27th was referred to the Attorney General for study to be sure that modification would not affect the seaward boundaries of the state in the Florida Straits or the Gulf of Mexico. It was determined that proposed modification merely clarified the description in Lease No. 1011.

Upon motion by Mr. Ervin, adopted unanimously, the Trustees adopted the following resolution:

#### RESOLUTION CLARIFYING DESCRIPTION OF OIL AND GAS LEASE NO. 1011

WHEREAS, pursuant to Chapter 22824, Laws of Florida, Acts of 1955, the Trustees of the Internal Improvement Fund of the State of Florida, hereinafter designated as Lessor, and The California Company, now known as California Oil Company, hereinafter designated as Lessee, did on the 14th day of September, 1955, enter into an oil and gas lease, designated "Oil and Gas Lease No. 1011", which lease was recorded in the Public Records in the Office of the Clerk of the Circuit Court in and for Monroe County, Florida, in Deed Book 52, pages 282-292, and which lease is hereby incorporated herein by reference, and

WHEREAS, this lease is still held by California Oil Company and is still in full force and effect, and

WHEREAS, certain additional engineering and surveying information is now available and such additional information relative to location and limits of the area covered by the original lease makes available more readily ascertainable points from which work references can be had and from which the limits and area covered by such lease can be more readily located and determined, and

WHEREAS, it is the desire of the Lessee to have approved by the Lessor the description which is hereinafter set out so as to make available for reference the points located and defined through reference to the Florida Transverse Mercator Plane Coordinate System, East Zone,

NOW THEREFORE, BE IT RESOLVED that the description of the leased area known as Tract No. 1 as defined in Oil and Gas Lease No. 1011, executed September 14, 1955, by and between Lessor and Lessee, which reads as follows:

TRACT NO. 1: Begin at a point on a line between Sand Key Light and Loggerhead Light, the position of said point being Latitude  $24^{\circ} 27.40'$  North and Longitude  $82^{\circ} 06.35'$  West; thence run South on the meridian of Longitude  $82^{\circ} 06.35'$  West 3 geographical miles; thence run West and Northwesterly along the seaward boundary of the State of Florida as established by Chapter 29744, Laws of Florida, Acts of 1955, to a point, said point being the most southerly southwest corner of the State of Florida as established by said Chapter 29744, Laws of Florida, Acts of 1955; thence run in a northeasterly direction at right angles to said seaward boundary a distance of 12 geographical miles; thence run East and Southeasterly along a line parallel to the said seaward boundary of the State of Florida to a point on the meridian of Longitude  $82^{\circ} 06.35'$  West; thence run South along said meridian of Longitude  $82^{\circ} 06.35'$  West to the place of beginning. Containing 489,000 acres, more or less.

is also described as follows:

Begin at a point, the position of said point being latitude  $24^{\circ} 27.40'$  north, and longitude  $82^{\circ} 06.35'$  west, this point having a coordinate value of  $X = 132,153.57$  and  $Y = 46,284.25$  of the Florida Plane Coordinate System - East Zone; thence true south along the meridian of longitude  $82^{\circ} 06.35'$  west a distance of 18,240 feet (3 geographic miles) to a point having a coordinate value of  $X = 132,007.99$  and  $Y = 28,044.83$ ; thence Grid west a distance of 22,000.00 feet to a point having a coordinate value of  $X = 110,007.99$  and  $Y = 28,044.83$ ; thence northwesterly the following courses and distances, north  $71^{\circ} 48' 54''$  west a distance of 147,729.65 feet to a point having a coordinate value of  $X = \text{minus } 30,343.11$  and  $Y = 74,148.87$ ; thence north  $79^{\circ} 10' 34''$  west a distance of 131,296.67 feet to a point having a coordinate value of  $X = \text{minus } 159,303.88$  and  $Y = 98,805.19$ ; thence at right angles to the last previous course, north  $10^{\circ} 49' 26''$  east a distance of 72,960 feet (12 geographic miles) to a point having a coordinate value of  $X = \text{minus } 145,602.66$  and  $Y = 170,467.16$ ; thence run southeasterly along a line parallel to the south boundary of this tract, the following courses and distances, south  $79^{\circ} 10' 34''$  east a distance of 133,633.79 feet to a point having a coordinate value of  $X = \text{minus } 14,346.35$  and  $Y = 145,371.91$ ; thence south  $71^{\circ} 48' 54''$  east a distance of 142,170.27 feet to a point having a coordinate value of  $X = 120,723.06$  and  $Y = 101,002.53$ ; thence Grid east a distance of 11,867.70 feet to a point having a coordinate value of  $X = 132,590.76$  and  $Y = 101,002.53$ , said point being on the meridian of longitude  $82^{\circ} 06.35'$  west; thence run true south along said meridian of longitude  $82^{\circ} 06.35'$  west a distance of 54,720.00 feet to the point of beginning, containing 489,000 acres, more or less. All coordinates and bearings mentioned in the above description are based on the Florida Plane Coordinate System - East Zone, unless noted otherwise.

The above description shall be referred to as Tract No. 1 (Description B) Oil and Gas Lease No. 1011.

Lessor declares Tract No. 1 (Description B) correctly reflects the original intention of the parties at the time the lease was executed and said Lessor hereby agrees any well drilled on lands covered by Description B is located on and within the lands described in State Lease No. 1011, Tract 1.

The parties hereto expressly recognize and agree that neither the description contained in the original lease nor the description designated Tract 1 (Description B) is to be considered as having any relation to or as being any attempt to establish or determine what is to be considered the seaward



boundary of the State of Florida in the Florida Straits area or in the Gulf of Mexico.

IN WITNESS WHEREOF, the Trustees of the Internal Improvement Fund of the State of Florida, the Lessor, have adopted this resolution this 8th day of August, 1961.

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MISCELLANEOUS

BAY COUNTY - Mexico Beach, Inc., represented by Cecil G. Costin, Jr., applied for permit for commercial dock at its property in Block "U" Mexico Beach Unit No. 2 in Section 25, Township 6 South, Range 12 West, on the Gulf of Mexico. The Board of County Commissioners approved the installation.

Without objection the Trustees authorized issuance of state permit to Mexico Beach, Inc., for the handling charge of \$100.00.

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MARION COUNTY - John Marshall Green, representing Norman Rivers, Vincent Webb and Earl B. Foss, Sr., applied for permit to remove 500 cubic yards of material from the bottoms of Lake Weir riparian to their properties described as Lots 9, 10, 11 and 12 on Timucuan Island Unit No. 1, to improve their uplands. The State Game and Fresh Water Fish Commission approved the work under Trustees' permit provisions.

Without objection the Trustees authorized issuance of permit to the applicants for the amount of material requested for \$25.00 minimum charge.

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PALM BEACH COUNTY - Without objection the Trustees authorized issuance of State Permit to the Town of Palm Beach for construction of a municipal pier at the end of Peruvian Avenue, in Lake Worth, for the standard fee of \$100.00.

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PINELLAS COUNTY - Misener and McEvoy, Inc., representing Jolly Roger Motel, applied for State Permit to construct catwalk dock addition at the motel property in Section 23, Township 31 South, Range 15 East, Treasure Island. Hearing was held by Pinellas County Water and Navigation Control Authority and county permit was granted.

Without objection the Trustees authorized issuance of the public dock catwalk facility to the applicant for the standard fee of \$100.00.

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PINELLAS COUNTY - Charles Fabrics, Inc., applied for permit for commercial dock at applicant's upland in Tietz Allotment on the Anclote River. Hearing was held by Pinellas County Water and Navigation Control Authority and county permit was granted.

Without objection the Trustees authorized issuance of the commercial dock permit for the standard fee of \$100.00

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POLK COUNTY - C. C. Street, General Chairman of Polk County Centennial Committee, requested further consideration of the request presented last week, urging the Trustees to advance \$26,000.00 for the production of the county centennial pageant which could also be used for other state purposes. He stated that the loan would be repaid from the first gate receipts.

Comptroller Green and Attorney Ervin expressed opposition to the use of Trustees funds for the pageant, as not being a proper state internal improvement project. There was further discussion, and Mr. Larson stated that it did appear to be a worthwhile production. The consensus of the Board was that this request might be handled by another state agency.

Upon motion by the Comptroller, adopted without objection, the Trustees denied the request from Polk County Centennial Committee for funds.

SEMINOLE COUNTY - George A. Speer, Jr., attorney, submitted recommendation from Slavia Drainage District that the Trustees, as Board of Drainage Commissioners of the State, appoint A. Duda, Jr., to succeed himself as supervisor of the District for a three-year term from expiration of his current term, June 18, 1961. Pursuant to advertised call for land owners' meeting, less than a quorum of land owners were represented at the meeting held on July 27, 1961, no legal election could be had, and those present recommended the re-appointment of Mr. Duda.

Upon motion duly adopted, the Trustees as the Board of Drainage Commissioners appointed A. Duda, Jr., as Supervisor of Slavia Drainage District for a three-year term as recommended.


TRUSTEES' FUNDS - Col. H. W. Tarkington, Director, presented request of the State Civil Defense Council for pledge of up to \$50,000.00 as an advance to the "Disaster Assistance Revolving Trust Fund" and the immediate release of \$15,000.00 from Trustees Internal Improvement Fund to carry on the operation of the Disaster Field Office assisting political subdivisions in receiving Federal financial assistance. Comptroller Green stated that the Budget Commission had considered and approved the request and that it would be a loan to be repaid to the Trustees.

Motion was made by Mr. Green and duly adopted that the Trustees approve the loan requested by Col. Tarkington for the work of the State Civil Defense Council, pledging up to \$50,000.00 and releasing immediately \$15,000.00 from Trustees' funds.

As information to the Board, Comptroller Green stated that Orange County had withdrawn its request for funds in connection with the county's claims for Federal Disaster Relief funds, which was mentioned in the minutes of July 25th.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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8-8-61

Tallahassee, Florida  
August 15, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture
	Van H. Ferguson	Director-Secretary

Upon motion duly adopted the Trustees approved the minutes of the meeting held on August 8, 1961, which had been approved by the Attorney General and copies presented to all members.

PALM BEACH COUNTY - File No. 840-50-253.12. Jean A. Robinson and Irene A. Stehlie, the abutting upland owners, represented by Brockway, Weber and Brockway, made application for (a) disclaimers under Section 253.129 Florida Statutes to two filled areas in West Palm Beach in Section 34, Township 43 South, Range 43 East, containing a total of 0.237 acre, more or less, and (b) deed to those submerged bottoms in Lake Worth in said Section 34 lying easterly of and abutting the parcels in "(A)" outward to the bulkhead line, containing a total of 0.235 acre to be conveyed at the appraised price of \$3700.00 for the two parcels, subject to advertising for objections only.

Without objection, the Trustees authorized issuance of the two disclaimers at a charge of \$10.00 each, and advertisement for objections only of the 0.235 acre parcel to be deeded.

PALM BEACH COUNTY - Bulkhead Line. On December 20, 1960 the Trustees formally approved bulkhead lines for Jupiter River, Florida East Coast Canal, and Intracoastal Waterway south of Loxahatchee River within and in the vicinity of the City of Jupiter, which lines had been fixed on October 18, 1960 by the municipality and on September 26, 1960 by the Board of County Commissioners. Approval of the lines was not certified to the governing bodies by reason of request by the County Engineer who had found some engineering error which would require correction of the legal descriptions.

The City of Jupiter on July 5, 1961 by Ordinance No. 195 vacated its former action and provided a corrected description of the same bulkhead lines. On July 10, 1961 the County adopted new Resolution vacating its former action and resetting the same lines by correct description, accompanied by corrected maps. The Director recommended that the Board action of December 20, 1960 formally approving the bulkhead lines be rescinded, and that the corrected lines be approved.

Without objection, the Trustees rescinded the December 20, 1960 action, and on this date formally approved the corrected bulkhead lines for Jupiter River, Florida East Coast Canal and Intracoastal Waterway south of Loxahatchee River as established by Palm Beach County Resolution dated July 10, 1961, and by City of Jupiter Ordinance No. 195 adopted on July 5, 1961.

PINELLAS COUNTY - Presented to the Board was Resolution adopted August 1, 1961 by the Board of County Commissioners of Pinellas County, accompanied by executed copy of proposed lease of Pinellas County to Fort DeSoto Marinas, Inc., dated August 1, 1961, and copy of Resolution of the Pinellas County Park Board requesting approval by the Trustees, insofar as submerged lands were affected, for the

8-15-61



construction of facilities at Mullet Key provided for in said lease in the public interest and for public recreation purposes as authorized by Chapter 30400, General Acts of 1955. The lease covered (a) filling station site with commitment of the county to lease additional filling station sites as it may deem needed, and (b) forty acres fronting Mullet Key Bayou for boatslips, docks, marina, ship stores, restaurant, recreation areas, and certain other public facilities. The lease would become effective on completion of the Bayway project, estimated at eighteen months, with base rental of \$5000.00 per year to be credited against certain percentages of gross receipts of lessee from services and sales, schedules for which were included in the lease. The lease specified various improvements and facilities to be provided within designated periods, the county retained the right to recapture and cancel at the end of the first ten years upon payment as set out in the lease, and buildings and improvements would become part of the realty at lease termination.

Mullet Key and other islands south of Bunce's Pass west of the Sunshine Skyway were acquired in 1948 by Pinellas County from the United States. The 1955 Act granted in the name of the State and for the Trustees the submerged and semi-submerged lands adjacent to and around Mullet Key for public recreational purposes, rights of way for state and county roads, and navigational purposes only. Inasmuch as the proposed lease offered the promise of needed facilities to accommodate the public in its enjoyment of the Mullet Key area for recreation purposes, the Staff recommended that the Trustees recognize the proposed improvements and facilities as being in the public interest and for public recreational purposes and approve the lease insofar as water areas and submerged lands were affected, as provided for in the 1955 Act.

Comptroller Green and Attorney General Ervin recommended approval by the Trustees, subject to examination of the lease by the Attorney General's office. Governor Bryant asked that the lease be examined not only from a legal standpoint, but to be sure that it carried out the general policy of the Trustees.

Without objection, the Trustees approved the proposed lease of Pinellas County to Fort DeSoto Marinas, Inc., subject to examination and favorable recommendation of the Attorney General.

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**BROWARD COUNTY** - The City of Dania applied for State Permit for a municipal fishing pier at the city's property fronting the Atlantic Ocean at Block 207, Hollywood Central Beach Subdivision. The city tendered \$100.00 permit fee and adjacent private waterfront owner filed waiver of objection.

Without objection, the Trustees authorized issuance of the permit to the City of Dania for the \$100.00 fee.

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**DADE COUNTY** - Mercy Hospital, Miami, Florida, requested waiver of \$1200.00 charge for removal of material from Biscayne Bay in front of hospital property to raise the level of certain low areas. Clyde Atkins, attorney for the applicant, wrote that the hospital was a non-profit corporation operated by the Diocese of Miami and that in addition to its usual public services the care of Cuban refugees had been a drain on its finances.

The Director called attention to the limitations in Article 6 of the State Constitution but recommended consideration of the request in view of the quasi-public aspect of the hospital, subject to staff approval of the dredging area, U. S. Army Corps permit, and Dade County approval required under Chapter 20688, Special Acts of 1955.

Upon motion by Mr. Ervin adopted without objection, the Trustees agreed to waive the charge for up to 30,000 cubic yards (\$1200.00 at standard yardage rates) as requested by Mercy Hospital, in recognition of the non-profit operation and services rendered in the public interest by the hospital, subject to approval of the

8-15-61

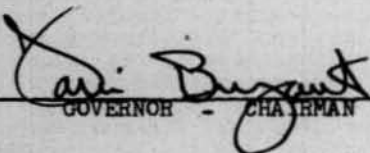
dredging area by the Trustees' staff, U. S. Engineers, and Dade County.

TRUSTEES' FUNDS - Upon the request of Comptroller Green, the Trustees asked the Director to prepare a budget for the information of the members, showing the anticipated revenue as well as anticipated expenses and commitments.

Governor Bryant brought up for discussion the subject of land appraisals, expressing the feeling that the members could not give sufficient time to study the value of state lands and perhaps should ask some appraisal or professional association, or university authority in the field of land values, for help in evolving a system. The members discussed the current procedure and agreed that additional safeguards might be helpful.

Without objection, the Trustees referred the matter to the Governor to explore the possibility of additional staff or advisory professional services and to make recommendation to the other members at a later date.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
August 22, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

Van H. Ferguson                      Director-Secretary

Upon motion duly adopted the Trustees approved the minutes of the meeting held on August 15, 1961 which had been approved by the Attorney General and copies presented to each member.

#### LAND SALES

DADE COUNTY - File No. 938-13-253.12. Upon application by Card Sound Corporation, the abutting upland owner, the Trustees on June 27 authorized advertisement for objections only of a parcel of submerged land in Biscayne Bay in Section 2, Township 56 South, Range 40 East containing 11.28 acres, more or less, within the

8-22-61

established bulkhead line, appraised at \$265.00 per acre. The land was advertised in The Miami Herald, proof of publication filed with the Trustees, and no objections to the sale were received. Central and Southern Florida Flood Control District waived objection to the proposed sale.

Without objection, the Trustees confirmed sale of the advertised parcel to the applicant at the appraised price.

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HILLSBOROUGH COUNTY - File No. 949-29-253.12. Upon application by General Securities Corporation, abutting upland owner, to purchase a parcel of submerged land in Tampa Bay in Section 25, Township 31 South, Range 18 East, containing 88.37 acres, more or less, within the established bulkhead line, the Trustees on June 27 authorized advertisement for objections only on the basis of \$100.00 per acre, the established price. Sale notice was published in The Tampa Tribune, proof of publication filed with the Trustees, and no objections to the sale were received.

Without objection, the Trustees confirmed sale of the advertised parcel to the applicant at \$100.00 per acre.

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PALM BEACH COUNTY - File No. 924-50-253.12. Upon application by Calig Land Company, the abutting upland owner, the Trustees on June 27 authorized advertisement for objections only of a parcel of submerged land in Lake Worth in Section 23, Township 44 South, Range 43 East, containing 1.17 acres, more or less, within the established bulkhead line. The appraisal reported a value of \$6,222.75 for the parcel. Sale notice was published in the Palm Beach Post, proof of publication was filed with the Trustees, no objections were filed and Central and Southern Florida Flood Control District waived objections to the proposed sale.

The Director recommended confirmation of the sale and approval of the fill permit granted on June 20, 1961 by the Town of Palm Beach indicating its approval of the improvements proposed for the property in the application.

Without objection the Trustees confirmed the sale at the appraised price and formally approved the fill permit issued by the Town of Palm Beach to the applicant.

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SANTA ROSA COUNTY - File No. 948-57-253.12. On June 27, 1961 the Trustees considered application by James E. Ward, riparian upland owner to purchase a parcel of submerged land at Peterson Point in Blackwater Bay and Ward's Basin in Section 24, Township 1 North, Range 28 West and Section 19, Township 1 North, Range 27 West, 24.7 acres within the established bulkhead line, for which he offered the appraised price of \$80.00 per acre as to net area of 14.7 acres outside his record ownership. The land was advertised for objections only in the Press-Gazette, Milton, Florida, proof of publication was filed with the Trustees, and a number of objections were filed.

The applicant's ownership included Government Lot 7 in Section 19, Township 1 North, Range 27 West which was shown by the official U. S. Surveys of 1829 and 1853 as a peninsula containing 10 acres, of which only a remnant remained as upland, but applicant held the record title and taxes were assessed and paid on the 10 acres. The change was attributed to storms (avulsions), breakthrough prior to 1901 was indicated by the U. S. Coast Chart of that year, and the charts subsequent to the 1926 hurricane indicated additional destruction. The Trustees examined plat of the area and attention was directed to shallow water depths, that the removal of fill material would provide better navigability, that after removal of fill the proposed dredging area would be a 100-foot wide channel from Ward's Basin on the North to the main body of Blackwater Bay, that any spilling of sand from dredging would be between the parcel sought and the cut which was not near any other ownership. The



water area at the narrowest point between the objector's land and the application area was approximately 650 feet wide. Applicant had agreed to a cut back requested by Judge Woodrow M. Melvin to insure open area for tidal flow into Ward's Basin. Letters approving sale were filed by a number of residents.

The Staff recommended the sale with 10-acre allowance for the record ownership of Government Lot 7 and payment at \$80.00 per acre for the net area of 14.7 acres.

Protests filed from a number of parties charged that sale and dredging would interfere with use of public waters for navigation, fishing and swimming, would reduce water outlet and scenic view decreasing value of objectors' uplands, that sands from the dredging would choke channels and that the Conservation Department should make an inspection. Earl L. Lewis, attorney representing several objectors, stated that any closing of channels would cause stagnation and that a marine biological survey should be made. Thomas Moore also objected to the bulkhead line fixed by the county.

Speaking on behalf of the application was County Commissioner Ezra C. Johnson, long-time resident who felt that Mr. Ward's project would be an asset to the community and not harmful to fishing or navigation.

In view of the many questions raised, motion was made by Comptroller Green, seconded by Mr. Larson and adopted, that the Trustees's engineer and the State Board of Conservation be called on for inspection and report to the Board.

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#### APPLICATIONS TO PURCHASE LAND

CHARLOTTE COUNTY - File 930-08-253.12. Mrs. Byron S. Cole, Jr., a surviving widow, and T. S. Sondral, the abutting upland owners represented by Farr and Farr, offered the area appraised price of \$200.00 per acre for two parcels of submerged land in Lemon Bay in Section 17, Township 41 South, Range 20 East, within the established bulkhead line, containing a total of 4.04 acres.

Upon motion duly adopted, the Trustees authorized advertisement of the land for objections only.

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MONROE COUNTY - File No. 983-44-253.12. Max Tendrich as Trustee, the abutting upland owner represented by G. A. Crawshaw, offered the established price of \$300.00 per acre for two parcels of submerged land in the Straits of Florida in Section 4, Township 63 South, Range 38 East, Plantation Key, containing a total of 3.52 acres.

Upon motion duly adopted, the Trustees authorized advertisement of the land for objections only.

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MONROE COUNTY - File No. 984-44-253.12. Clifford I. Smiley and wife, the abutting upland owners represented by G. A. Crawshaw, offered the established price of \$425.00 per acre for a parcel of submerged land in the Straits of Florida in Section 23, Township 63 South, Range 37 East, Windley Key, containing 1.12 acres.

Upon motion duly adopted, the Trustees authorized advertisement of the land for objections only.

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PALM BEACH COUNTY - File No. 810-50-253.12. Mary Hampton Fullerton, the abutting upland owner represented by Brockway, Weber & Brockway, offered the appraised price of \$1835.00 per acre for a parcel of sovereignty land in Section 6, Township 41 South, Range 43 East, 1.03 acres within the established bulkhead line.

Upon motion duly adopted, the Trustees authorized advertisement of the land for objections only.

PALM BEACH COUNTY - File No. 843-50-253.12. Frank Meade, Jr., and wife, abutting upland owners represented by K. C. Mock and Associates, applied to purchase a parcel of submerged land in Lake Worth in Section 10, Township 45 South, Range 43 East, Town of Hypoluxo, 1.4 acres within the established bulkhead line. The applicant, taking exception to the computations used by the Trustees' appraiser in fixing a market value of \$1285.00 per acre for the parcel, made a counter offer of \$725.50 per acre based on differing cost for retaining wall construction.

Governor Bryant stated that for any reduction in price to be considered, more evidence would be necessary.

Upon motion by Treasurer Larson, duly adopted, the Trustees authorized advertisement for objections only based on \$1285.00 per acre being offered for the land.

PINELLAS COUNTY - Application was made by Ford L. Thompson and Harry L. Thompson on behalf of Mrs. Ethel E. King, owner of two islands in St. Joseph Sound, the first being 5.38 acres offshore from applicant's upland at Dunedin and the other (about 550 feet west of the first) 6.28 acres east of right of way of Intracoastal Waterway, which applicant desires to enlarge and connect as a 26.58 acre mass by filling about 15 acres of submerged land with spoil from the waterway construction now under contract. Applicant sought authorization to have filling done by the waterway contractor and offered commitment to purchase the submerged area so filled at present appraised value.

No bulkhead line had been established. Pinellas County Water and Navigation Control Authority had conducted public hearings November 14 and 28, 1960, a reduction in the area originally applied for, (41 acres) was proposed, Examiner recommended bulkhead line enclosing 26.58 acres including the islands, but at hearing on July 13 the Authority declined to fix the advertised line and instructed its Engineer to submit description for line one foot offshore from each existing island.

The Staff felt that filling of the 15 acres might eliminate need for creation of spoil islands. On October 14, 1960, the City of Dunedin in anticipation of creation of new spoil islands had proposed use for public recreation, and the Staff had advised the city that while such new islands would be within perpetual easements to the United States temporary use and removable improvements might be arranged.

Protests to filling and sale were made by Wayne Nelson from the County Attorney's office, Howard P. Rives for the City of Dunedin, R. A. Argyros representing several property owners, Dunedin Civic Association, and others. Mr. Nelson requested that the Trustees allow the county to make its determination before taking any action. Statement was made by Mayor Sam Davis of Dunedin in favor of a reasonable bulkhead line - not one foot offshore around each island separately.

Without objection the Trustees voted to delay action for two weeks for Pinellas County Authority to act on the application of Mrs. King, and after that period if deemed appropriate by the applicant the matter would be brought up for further consideration.

DIXIE COUNTY - Ben F. Jackson offered \$208.00 per acre for deed to Government Lot 3 in Section 18, Township 9 South, Range 10 East, 3 acres, which was patented to the State February 3, 1961 under swamp land selection based on supplemental plat by the U. S. Department of the Interior Bureau of Land Management made September 25, 1959, and the Bureau's determination that the parcel was public land. The original U. S. Survey approved May 31, 1851, showed the parcel as an unnumbered area in southeast corner of the section, a narrow triangle three chains wide and 20 chains long lying east of Steinhatchee River appearing to be part of Government lot 1 which

the 1959 map defined as that part of E $\frac{1}{2}$  of SE $\frac{1}{4}$  west of the river.

Applicant's father owned lands in E $\frac{1}{2}$  of SE $\frac{1}{4}$  and it was believed that the parcel east of river was included in his ownership. The parcel was assessed to his father's estate, sold for taxes in 1955 and tax deed issued to Mary E. Tillman in 1957, from whom applicant purchased in the belief that the title had been recovered. The parcel was included in sale by applicant at \$208 per acre to Lee Fosselman to whom he gave a deed of general warranty January 10, 1959, some months before the Bureau determined that the parcel was public land subject to selection and patent, and Mr. Jackson applied to purchase without advertisement and competitive sale as permitted under Section 270.09 Florida Statutes in order to deliver title to Fosselman. The parcel was swamp, subject to overflow, accessible only through lands of another owner or by boat, the abutting owner (Buckeye Cellulose Co.) filed consent for private sale to be made to Mr. Jackson with waiver of any rights to bid at public sale.

Upon motion by Attorney General Ervin adopted without objection, the Trustees confirmed sale to the applicant at \$208.00 per acre.

#### MISCELLANEOUS

COLLIER AND MONROE COUNTIES - Application was made by J. L. McCord on behalf of Commonwealth Oil Company and other parties having interests for 3 $\frac{1}{2}$  year extension of seventeen state oil and gas leases, Nos. 826-A, 826-B, 826-C, 826-D, 826-E, 826-F, 826-G, 826-H, 826-I, 826-J, 826-K, 826-L, 826-M, 826-N, 826-O, 826-P, 826-Q, 826-R, 826-S, 826-T, and 826-U which were issued September 18, 1951 in pursuance of an exploratory contract and option to lease, No. 228, issued in 1943. The primary term of each lease, as heretofore extended by the Trustees and adjusted with respect to the period of litigation in the Tidelands case, would expire August 25, 1961. The contract-option of 1943 appeared to have been granted pursuant to Chapter 20680, Acts of 1941, which provided authority to lease with requirement of a test well each five years for each lease. The Director pointed out that only one well was drilled (Lease 826-G) more than five years ago, that the leases aggregated 1,914,246 acres but portions of the areas in 826-B, C, D, E, H, G, Q, S and possibly T were within Everglades National Park and close estimate of the acreage outside the Park boundary was not practicable with data available.

Rental under the lease was one cent per acre per year and applicant proposed to pay the same rental and conduct exploratory operations by new engineering processes which might make possible proper surveys so that drilling could be done with more assurance of success. Mr. McCord said that under conditions found in Florida previous methods had been unsuccessful, interest in oil exploration in the state was waning, and that the extension was desired in order to have opportunity to raise funds for more test wells.

Mr. Larson expressed appreciation for the long years of "wildcatting" activity of Mr. McCord and Gulf Oil Company in Florida and urged favorable consideration by the Board if it was legally possible to grant extension.

In view of the legal questions involved, Attorney General Ervin expressed doubt that applicant's offer to continue rental payments could be negotiated, and stated that other oil producers and operators had been notified of hearing on this date. No opinions were expressed on the subject by the several parties present representing oil companies.

State Geologist Robert Vernon, called on by the Trustees for recommendation, did not feel that the large area should continue to be tied up when drilling now in progress in the Marquesas Keys, if successful, would renew interest and the state could invite bids for new leases for more rental and greater depth wells.

On recommendation of the Attorney General the Trustees deferred for six weeks a decision on extension or cancellation of the seven-



teen leases to give the public opportunity to voice any objections, and for further study of the legal questions involved by the office of the Attorney General.

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MONROE COUNTY - (a) The Director recommended dedication of three sovereignty parcels each 200 feet wide, 400 feet long, for access between State Road No. 5 and the sovereignty mangrove tract north of that highway and west of Jewfish Creek offset from the highway centerline 500 feet, sale of which was confirmed May 9, 1961 and Deed No. 22824(681-44) issued to Upper Key Largo Development Company July 17, 1961. Under the dedication the right to construct and maintain causeway, road and/or bridge should extend to said company, its successors and assigns, and to Monroe County, the State Road Department and the United States as their respective interests in causeway, road and bridge might appear with construction and maintenance in accordance with permit from U. S. Army Corps of Engineers and requirements of State Road Department, and directional signs but not commercial signs would be allowed. The State Road Department approved the proposed access dedications.

(b) The Director recommended dedication requested by Upper Key Largo Development Company of the sovereignty area (less the three 200-foot access strips) lying between right of way of State Road 5 and sovereignty mangrove area in Deed No. 22824 for public purposes only and to preserve the 400-foot wide strip in public ownership for future widening of highway, beautification, effective control of roadside advertising and to prevent ribbon-development adjacent to the existing road.

The offset of 500 feet from highway centerline for private development with access provided by limited easements appeared in the interest of public safety by providing for orderly ingress and egress, and offset and dedications would encourage development accessible to, but outside, the busy traffic route. Governor Bryant and Mr. Ervin expressed approval and suggested continuation of this type planning for all sales along the highway.

Without objection the Trustees approved the dedications in (a) and (b) as recommended by the Director.

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PINELLAS COUNTY - The City of St. Petersburg Beach applied for State Permit to construct four artificial reefs in the Gulf of Mexico one to approximately one and one-half miles offshore in water not less than twenty feet deep leaving a fifteen foot depth unobstructed, the locations to be marked by buoys and the construction of the reefs to require several years.

Regulations prepared jointly by representatives of the Board of Conservation, Coastal Engineering Laboratory and Trustees, amended May 3, 1960, allowed six months for completion of a reef to provide minimum depths of sixty feet on rock bottom and forty feet on loose sand bottom "for the Gulf, subject, however, to possible variation depending on topography and character of the bottom area." The application was referred to the Board of Conservation which agreed to inspect all deposits and recommended waiver of the time and depth limitations and that the six-month period be subject to renewal after study of the renewal request.

Without objection the Trustees authorized issuance of State Permit for \$50.00 processing fee with renewal provision as recommended to be allowed without requirement of additional fees for the extension.

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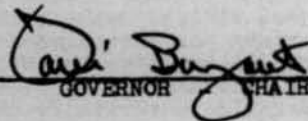
PINELLAS COUNTY - File No. 922-52-253.124. Without objection the Trustees formally approved dredge and fill permit DF133 granted by Pinellas County Water and Navigation Control Authority to Alex R. Willson to fill lands in Section 30, Township 30 South, Range 15 East in The Narrows which were purchased from the Trustees (Deed No. 22732).

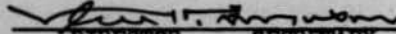
PINELLAS COUNTY - File No. 824-52-253.124. Without objection the Trustees formally approved dredge and fill permit DF163 granted by Pinellas County Water and Navigation Control Authority to L. B. McSwain to fill lands at Indian Rocks Beach South Shore in The Narrows, purchased from the Trustees (Deeds 20032 and 22730).

POLK COUNTY - On July 25 the Trustees granted permit to C. D. Hughes to dredge material from Lake Hamilton in Section 17, Township 28 South, Range 27 East, to improve the applicant's upland property, the Game and Fresh Water Fish Commission having approved the work under permit regulations. Additional material was required, and Guy A. McPherson on behalf of the applicant tendered \$100.00 for 2000 cubic yards.

Without objection the Trustees approved the application for the additional material for \$100.00, based on the regular charge.

Upon motion duly adopted, the Trustees adjourned .

  
GOVERNOR CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
August 29, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture
	Van H. Ferguson	Director-Secretary

Upon motion by Mr. Larson, duly adopted, the Trustees approved the minutes of the meeting held on August 22, 1961.

#### APPLICATIONS TO PURCHASE LAND

MANATEE COUNTY - File No. 991-41-253.12. F. P. Cipriani, the abutting upland owner, represented by Walter S. Hardin Realty Co., offered \$500.00 per acre for a parcel of submerged land in Sarasota Pass in Section 3, Township 35 South, Range 16 East, 0.21 acre within the established bulkhead line, in a zone appraised at \$400.00 per acre.

Without objection the Trustees authorized the parcel advertised for objections only based on the applicant's offer.

MONROE COUNTY - File No. 989-44-253.12. Mechanical Industries Southern Corp., abutting upland owner represented by G. A. Crawshaw, offered the established price of \$300.00 per acre for a parcel of submerged land in Blackwater Sound in Section 11 and 14, Township 61 South, Range 39 East, Key Largo, containing 0.43 acres.

Without objection the Trustees authorized the parcel advertised for objections only based on the applicant's offer.

ESCAMBIA COUNTY - Bulkhead line. The Director recommended approval of bulkhead line, except the portion projected through right of way of Navarre Bridge, in Santa Rosa Sound North of the four-mile section of Santa Rosa Island administered by Santa Rosa Beach Administration which was fixed by Board of County Commissioners August 8, 1961 in accordance with study of the area and proposed development made by the Coastal Engineering Laboratory for the said Beach Administration.

The Trustees examined the plat submitted, noting that the bulkhead line would provide for enlargement of the subdivision development to a uniform shoreline.

Without objection the Trustees formally approved the bulkhead line fixed by the Board of County Commissioners of Escambia County August 8, 1961, except the portion in Navarre Bridge right of way.

The Director presented for preliminary consideration the request by Santa Rosa County Beach Administration on behalf of Escambia County, the upland riparian owner, for an 8.15-acre parcel of submerged land in Santa Rosa Sound between the above mentioned bulkhead line and Santa Rosa Island upland administered by Santa Rosa Beach Administration (created by 1951 Legislative Act to administer the four-mile section of the island leased to Santa Rosa County by Escambia County). The land was acquired by Escambia County from the United States January 15, 1947 by deed with condition that the county use the land for such purpose as it might deem in the public interest, with authority to lease all or parts on terms and conditions the county might fix, and part of the submerged parcel



sought was proposed for residential development and the balance for commercial uses.

Under the 1951 Act the property was tax-exempt, including improvements of tenants and lessees, and while the title was vested in a political subdivision and administration was under a body created by Legislative Act, the development, leasing and use was commercial in many respects and not for conventional public purposes for which dedications and grants were generally given. The Trustees felt that the submerged lands along the four-mile section should be processed with requirement of the fair market value and the usual \$50.00 application fee.

Upon motion adopted without objection, the Trustees directed that an appraisal be obtained and upon offer of the same by applicant, the application should be presented to the Trustees for further consideration before advertising.

#### MISCELLANEOUS

DADE COUNTY - Presented to the Trustees was request of the City of Islandia, by City Commissioner Bruce Vining, for clarification of policy with reference to sales of submerged lands in Islandia, a municipality created June 20, 1961 under authority of the Metropolitan Dade County Charter, Article 5, Section 5.05, adopted May 21, 1957. The municipality included all offshore islands, submerged and tidal lands south of Soldier Key, east of the Intracoastal Waterway and north of the Monroe County line, within established bulkhead lines. The municipality requested that the Trustees recognize its jurisdiction over matters which, prior to June 20, 1961, were under jurisdiction of the county and that the Trustees in recognition of the creation and function of Islandia as a municipality might properly act to rescind the Resolution adopted on March 22, 1960 at the county's request, which Resolution established a condition precedent whereunder applicants seeking to purchase submerged and tidal lands pursuant to provisions of Section 253.12 Florida Statutes would be required to submit to the Board of County Commissioners for approval plans or sketches showing proposed use and development and portions to be allocated for public uses and providing for the County Board to be heard prior to consummation of sales in the zone which subsequently became within the corporate limits of Islandia.

Attorney General Ervin had reviewed the matter, Dade County and the City of Islandia were notified of hearing on this date, and copy of an advisory opinion of the County Attorney to County Commissioners received by the Trustees office concluded that authority in the premises now vested in the City of Islandia and there was no logical basis for county objection to the Trustees rescinding said Resolution.

Delegation representing Islandia, including City Attorney Jack Watson, Mayor L. L. Brooks, Commissioners Vining and Ralph A. Fossey and others, stated that the Metro Commission had placed unreasonable requirements and obstructed sales of submerged lands to upland owners, some applications having been held up for years, pointed out the various areas already in county ownership and reserved for public uses, and asked for the right to come directly to the Trustees with the county being given notice so that it might make recommendations.

Representing Metropolitan Dade County, its attorney Darrey A. Davis and Commissioner Alex S. Gordon stressed the absence of development planning, that sales should not be made until owners were ready to develop rather than use for speculative purposes, that a vast area of about 4000 acres of submerged public land was involved in which some reservation or dedication should be made for future public needs, and urged that the Trustees not rescind the Resolution establishing the condition precedent to sale but add to it the City of Islandia's recommendations when disposition of submerged land was being considered.

Attorney General Ervin pointed out that the city should cooperate with the county as well as other agencies, that the delay of Metro had been discouraging but that when development program for the

zone appeared joined in nature it should be worked out on that basis. The Trustees agreed to modification of Resolution that the municipality had rights but not to the exclusion of the county.

Governor Bryant suggested that applications to purchase particular parcels be reactivated, that recommendations of the governing bodies involved would be heard and the Trustees, having authority, would make disposition with consideration for the public interest - that if the developer and the City of Islandia thought it should be in connection with an overall plan they would submit one, and if the county thought it should be in conjunction with a plan they could submit that plan.

Without objection the Trustees, recognizing the jurisdiction of the municipality of Islandia with reference to bulkhead lines and issuance of permits for filling in the public waters within its corporate limits, adopted a policy in the interest of coordination and cooperation and, modifying the Resolution of March 22, 1960, agreed to receive applications from riparian upland owners seeking to purchase submerged lands within established bulkhead lines and upon authorization of advertisement of sale notice for objections copy of notice would be sent to Dade County Board; also that upon receipt of fill permit issued by the municipality of Islandia the county would be notified with time allowed to be heard or to present any evidence on the subject.

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ALACHUA AND HAMILTON COUNTIES - Upon motion unanimously adopted, the Trustees approved dedications to the State Road Department as follows:

- (1) Alachua County: Dedication for road right of way for State Road 93 over bottoms of the Santa Fe River in Section 31, Township 6 South, Range 18 East, covering a strip 430 feet wide, the same width as rights of way across the abutting uplands; also dedication covering two areas over the bottoms of the Santa Fe River for a channel change;
- (2) Hamilton County: Dedication for road right of way for State Road 93 over bottoms of the Suwannee River in Section 5, Township 2 South, Range 15 East, covering a strip 300 feet wide, the same width as rights of way across the abutting uplands.

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GLADES COUNTY - W. E. Perry, the adjacent upland owner, applied for ten-year grazing lease covering 44 acres of reclaimed Lake Okeechobee bottom land between his upland and the existing levee right of way.

Upon motion duly adopted the Trustees authorized lease to Mr. Perry for the ten-year period subject to a ninety-day cancellation clause, as recommended by the Director.

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HIGHLANDS COUNTY - Without objection the Trustees authorized issuance of permits applied for by the following three upland owners to remove from bottoms of Lake Huntley riparian to their adjoining upland properties small amounts of fill material to repair shore erosion and improve the beach, the Game and Fresh Water Fish Commission having approved dredging in the lake under permit provisions:

- (1) Alfred E. Nann, applicant, tendered the minimum charge of \$25.00 for under 500 cubic yards to be dredged offshore from uplands "Beginning at a point 250 feet North of South line of Section 5, Township 37 South, Range 30 East, on west shore of Lake Huntley and continuing North approximately 100 feet."
- (2) Edgar Nelson, applicant, tendered the minimum charge of \$25.00 for under 500 cubic yards to be dredged offshore from his upland lot on Lake Huntley in Section 5, Township 37 South, Range 30 East.

(3) Mrs. V. A. Boots, applicant, tendered the minimum charge of \$25.00 for under 500 cubic yards to be dredged offshore from Lot 9 of the Taylor Tract and a portion of Section 5, Township 37 South, Range 30 East.

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OKEECHOBEE COUNTY - Leo Landis, on behalf of himself and wife, Harold Abbott and wife, and Barbara R. Singer, holders of Contract No. 21653, dated September 6, 1957, requested conveyance of Lots 24, 25 and 26 of Block 202, Town of Okeechobee. The contract included Lots 3, 4, 9, 10, 11, 12, 20, 21, 24, 25, 26, 27, 36 and 37 in Block 202, was in the sum of \$5960.54 of which \$4932.42 had been paid and the account was in good standing.

Without objection the Trustees approved conveyance of the three lots as requested by holders of Contract No. 21653.

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OSCEOLA COUNTY - The Director recommended execution in the name of the Trustees of Supplemental Agreement No. 2 to Lease No. DA-08-123-eng-2085 to evidence change of the agency having jurisdiction over lands in the former Holopaw Emergency Airport in Section 17, Township 27 South, Range 35 East which was conveyed March 10, 1961 by Florida Development Commission to the Trustees. Supplemental Agreement No. 1 between the Development Commission and the United States corrected discrepancy in original lease description. The lease, on a year-to-year basis not beyond June 30, 2006, with rental \$1.00 for the total period, was between the Florida Development Commission and the U. S. for a data collection equipment system on 5.83 acres of the former airport.

Without objection the Trustees authorized execution of the instrument as recommended by the Director.

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PALM BEACH COUNTY - On April 18 the Trustees referred to the Staff for further investigation an offer by R. S. Kunkel submitted by the Division of Corrections to sell for \$65,000 a triangular parcel, being the South 1721.9 feet of North 2611.8 feet lying between State Road 15 and the F. E. C. Railway in Section 19, Township 43 South, Range 37 East, represented as containing 9 acres, more or less, including an area filled with rock and including several buildings, and appraised at \$75,000 and \$70,000 and indicated as suitable for commercial use.

The parcel appeared to be one sold by Trustees December 28, 1944 and conveyed in Deed No. 19004 to Florida Ramie Products, Inc., for ramie plant site with consideration \$2052.50 for 8.21 acres. The file showed that sale was contemplated at reduced price to encourage the establishment of a ramie plant and correspondence in the Land Office indicated that sale would be made subject to a provision for repurchase by Trustees at same price if ramie plant was discontinued. Neither contract nor deed contained the repurchase option provision. Sale was not advertised nor competitive. Since the Trustees paid more than \$20,000 per year drainage taxes on lands owned by Trustees and used by the Division of Corrections, no funds for such purchase were in Trustees' budget and outstanding commitments exceeded cash on hand, the Staff was not in position to recommend purchase or exchange.

Upon motion by Comptroller Green, duly adopted, the Trustees referred the matter to the Prison Committee.

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CAPITOL CENTER - Attention was called to the following three leases of old buildings owned by Trustees in the Capitol Center on which lessees maintained liability insurance in their own behalf but without coverage of the Trustees.

Lease 1063-A to Mrs. Ethel Hawes covering Lots 254 and 258 Original Plan of Tallahassee, with rental \$150 per month for all three houses at 615 S. Bronough Street, 223 W. St. Augustine Street and 221-223 W. St. Augustine St. Expired August 31, 1961.



Lease 1156 to Tallahassee Junior Museum covering Lot 231 Original Plan of Tallahassee, with rental \$1.00 per year. Expired December 18, 1961.

Lease 1267 to Mrs. Gladys A. Cornish covering Lots 237 and 238 Original Plan of Tallahassee, with rental \$65.00 per month. No expiration date; effective until premises needed for state purpose.

It was suggested that the Trustees be protected in the liability insurance policies required of the lessees and that the houses be inspected by the City Building Inspector.

The Trustees directed that the staff proceed to make investigation and report to the Board for making determination as to continuation of the leases.

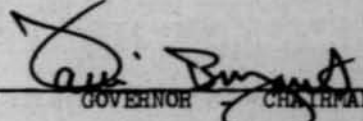
TRUSTEES' BUILDING - Comptroller Green suggested that consideration be given to naming the Trustees' building for Fred C. Elliot in recognition of his long-time service to the State of Florida as engineer and secretary of the Trustees of the Internal Improvement Fund for many years, as well as in other capacities. The Director asked for authority for the necessary change order to have an appropriate dedicatory plate installed in the new building similar to such designations on other state buildings.

Mr. Green put his suggestion in the form of a motion which was seconded by Mr. Larson and unanimously adopted, and authority was given to the Director as requested.

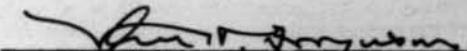
SUBJECTS UNDER CHAPTER 18296

Upon motion duly adopted the Trustees approved Report No. 792 listing one bid for sale of land under the Murphy Act and approved issuance of County of Dade Deed No. 1684-Corrective-Supplemental to Richard V. Frederick to add "inclusive" to description which was shown in the original deed dated February 11, 1942.

Upon motion duly adopted the Trustees adjourned.

  
GOVERNOR CHAIRMAN

ATTEST:

  
DIRECTOR - SECRETARY

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Tallahassee, Florida  
September 5, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture
	_____	
	Van H. Ferguson	Director-Secretary
	_____	

#### APPLICATIONS TO PURCHASE LAND

MONROE COUNTY - File No. 995-44-253.12. Marie T. Bedwell, the abutting upland owner, represented by G. A. Crawshaw, offered the established price of \$425.00 per acre for a parcel of submerged land in Florida Bay in Section 28, Township 63 South, Range 37 East, Upper Matecumbe Key, containing 0.14 of an acre.

Upon motion duly adopted the Trustees authorized the parcel advertised for objections only.

MONROE COUNTY - File No. 996-44-253.12. Eugene W. Sulzberger and Fred Bowen, Jr., the abutting upland owners, represented by G. A. Crawshaw, offered the established price of \$300.00 per acre for purchase of a parcel of submerged land in the Bay of Florida in Section 7, Township 63 South, Range 38 East, Plantation Key, containing 0.94 of an acre.

Upon motion duly adopted the Trustees authorized the parcel advertised for objections only.

PASCO COUNTY - File No. 997-51-253.12. E. J. Harrison et al, abutting upland owners, represented by Sam Y. Allgood, Jr., offered \$150.00 per acre, the appraised price in the zone, for purchase of a parcel of submerged land in the Gulf of Mexico in Section 23, Township 26 South, Range 15 East, containing 8.7 acres landward of the established bulkhead line.

Upon motion duly adopted the Trustees authorized the parcel advertised for objections only.

MANATEE COUNTY - File No. 990-41-253.12. Bulkhead Line and Application to Purchase.

Referred to the Trustees for approval was bulkhead line established by City of Bradenton by Resolution dated March 8, 1961, approved by Board of County Commissioners on May 22, 1961, located in the Manatee River in Section 30, Township 34 South, Range 18 East in the City of Bradenton riverward of uplands owned by applicant, Albert F. Roth.

Also, Mr. Roth, the abutting upland owner represented by Grimes, Grimes and Goebel, offered the area appraisal value of \$500.00 per acre for a parcel of submerged land in the Manatee River in Section 30, Township 34 South, Range 18 East, containing 0.52 of an acre landward of the said bulkhead line.

Upon motion duly adopted the Trustees formally approved the bulkhead line as established by the City of Bradenton and approved by the county; also, the Board authorized the 0.52 acre parcel advertised for objections only based on the applicant's offer.

PINELLAS COUNTY - Bulkhead Line and Application. Referred to the Trustees with staff recommendation for approval was the closed bulkhead line established by Pinellas County Water and Navigation Control Authority on August 24, 1961, offshore from and beyond the established mainland bulkhead line at Dunedin, encompassing two islands comprising approximately 11.66 acres and about 15 acres of adjacent submerged lands east of and adjacent to right of way of the Intracoastal Waterway. Objections had been presented at the several local hearings and to the Trustees by the City of Dunedin, Dunedin Civic Association and Raymond Argyros as attorney for clients owning properties on the mainland at Dunedin. Notice of the hearing on this date was given to objectors.

Also under consideration was application of Mrs. Ethel E. King, owner of the two islands, for authorization to have the submerged land within the bulkhead line filled and offering to purchase the submerged land at the value prior to filling. On August 22 the Trustees deferred action for two weeks. Applicant represented that fill material from the waterway construction would not be available if filling was deferred for further hearings. Application was made to the county in 1958 by applicant's predecessor, again made in October 1960 by Mrs. King for bulkhead line, purchase and fill and the County Authority's Examiner recommended the then proposed line (encompassing more than 40 acres) but that purchase and filling be denied until applicant obtained approvals from West Coast Inland Navigation District and U. S. Engineers - which approvals were secured.

City of Dunedin by Resolution adopted August 28 asked for denial of Mrs. King's application to fill around her islands and that spoil be placed only on areas to remain in public ownership, but that if filling were permitted complete seawalling should be required. It was not customary to require seawalling for other islands, and the Staff considered filling around islands preferable to creation of new spoil islands in open waters. In the event filling was permitted an appraisal of the submerged area would be obtained.

Raymond Argyros representing mainland owners at Dunedin voiced opposition to the bulkhead line, possible interference with navigation, and creation of a large land mass with expected future connection with the mainland.

Comptroller Green pointed out that such objections had been presented to the County Authority which was in better position to study the engineering considerations, and bulkhead line had been fixed to encompass both islands which appeared reasonable and a practical way to handle it. The Director stated that the county fixed the bulkhead line knowing that the owner desired to fill.

Attorney General Ervin approved the bulkhead line enclosing the privately owned islands plus a reasonable area of shallow submerged land, but he recommended that an orderly procedure be followed to meet legal requirements with Mrs. King making purchase application, offering price required by Trustees and securing fill permit. It was noted that the 26.58 acre parcel was a portion of the larger forty acre area for which application was recommended by the Examiner, advertised, and thoroughly heard locally.

Without objection the Trustees formally approved the bulkhead line established by Pinellas County on August 24, 1961.

Upon motion by Comptroller Green, seconded by Attorney General Ervin and adopted, the proposal of fill and purchase was treated as an application for presentation to the County Authority as to purchase and filling, for the Authority's approval in consideration of the advertisement, hearings and examiner's report on the former application which included the subject area, without need for further advertising and hearing, with directive to the Attorney General to work this out with the County Authority, the action of the Trustees being to approve the proposed purchase and filling conditioned on legal requirements being met.



#### MISCELLANEOUS

BREVARD COUNTY - Upon motion duly adopted the Trustees approved the fill permit granted August 22, 1961 by the City of Titusville to the Citizens Bank of Titusville to fill a parcel of submerged land in Section 3, Township 22 South, Range 35 East previously conveyed by the Trustees, between upland and the existing bulkhead line.

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HIGHLANDS COUNTY - Marshall S. P. Pollard applied for permit to dredge 1000 cubic yards of fill material from the bottom of Lake June-in-Winter riparian to his upland property in Section 25, Township 36 South, Range 29 East, to repair damage caused by Hurricane Donna in 1960. The Game and Fresh Water Fish Commission had approved dredging in the lake under permit provisions.

Without objection, the Trustees authorized issuance of the permit to Mr. Pollard for \$50.00, based on standard charges for lake fill material.

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PINELLAS COUNTY - The Director recommended approval of State Permits for construction of commercial docks to (1) Horizon House, Inc., at its property fronting Clearwater Harbor and (2) Hazel B. Verda at her property on Clearwater Bay. Both applications were approved and permits issued by Pinellas County Water and Navigation Control Authority.

Without objection the Trustees authorized issuance of the commercial dock permits to the two applicants for the standard processing fee of \$100.00 each.

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CAPITOL BUILDING - The Secretary of State submitted architect's estimate of \$45,350.00 for remodeling basement areas for use by the State Department of Education, Secretary of State and Governor's Office, with 6% to be added for architect's fee. On July 25 at Secretary Tom Adams' request the Trustees approved negotiation with the architect for payment from Trustees' funds of up to \$1000.00 for plans for remodeling basement storeroom space for offices and for PBX telephone equipment.

Mr. Adams proposed to take bids upon approval of the estimate, have all the work done under one bid, and stated that repayment might be made to the Trustees by a capitol outlay appropriation by the 1963 Legislature. The Director advised that funds for the remodeling were not in the budget, that uncommitted cash was not available, and called attention to funds advanced for planning of Boca Raton University and for construction of Highway Patrol Building which were made with the understanding that 1961 Legislative appropriation should be expected - but no reimbursement had been authorized.

The Trustees discussed the proposed work covered by the architect's estimate and Comptroller Green stated that he would like to review the remodeling plans.

Upon motion duly adopted the Trustees deferred action until the plans for the proposed work in the basement could be reviewed by the members of the Board.

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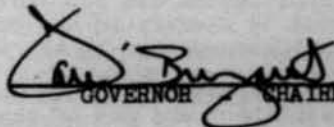
#### SUBJECTS UNDER CHAPTER 18296

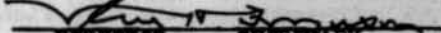
MONROE COUNTY - By Resolution of May 2, 1961, the Board of County Commissioners of Monroe County requested authorization to hold public sale of the unsold lots in Rainbow Beach Subdivision on Big Torch Key platted in January 1926, now undeveloped and without public road access. 324 lots were sold under the Murphy Act May 17, 1960 on a required base bid of \$100 per lot plus advertising cost and other expenses of sale, and there remained 5 blocks of 24 lots and parts of 11 blocks, total 328 lots. After inspection, the Governor's Committee on Recreational Development approved sale of the remaining lots.

The Director reported that the boom-time subdivision was in a mangrove area remote from public road and the county wanted the lots on the tax roll to encourage development. He recommended that under regular Murphy Act sale procedure the Clerk of the Circuit Court be allowed to receive applications, advertise and hold public sale on base bid of \$100 per lot plus advertising costs and Clerk's fees, the highest bids to be reported for consideration of the Trustees.

The Trustees directed that the lots be sold to individuals singly and not as a whole for speculation purposes, and with this provision the recommendation of the Director was accepted for allowing the Clerk to hold sale under Murphy Act procedure.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
September 12, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

Van H. Ferguson                      Director-Secretary

Without objection the Trustees approved the minutes of the meetings held on August 29 and September 5, 1961, which were approved by the Attorney General and copies furnished to each member.

#### LAND SALES

MANATEE COUNTY - File No. 966-41-253.12. On July 25 the Trustees considered offer of the appraised price of \$250.00 per acre by Longboat Enterprises, Inc., the abutting upland owner, for purchase of a parcel of submerged land in Longboat Inlet in Section 15, Township 35 South, Range 16 East, containing 0.57 of an acre, more or less. The land was advertised for objections only in the Bradenton Herald and proof of publication was filed with the Trustees.

Several objections were filed, R. N. Poe citing possible alteration of natural underwater conditions and damage to shore area, and F. J. Conrad suggesting study by Coastal Engineering Laboratory. Also letters were received in favor of the proposed sale and filling. The staff did not anticipate any damage from the riparian owners purchase and planned filling and felt that the objections were not valid.

Upon motion by Commissioner Conner adopted without objection, the Trustees overruled the objections and confirmed sale to the applicant at the appraised price.

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MONROE COUNTY - File No. 913-44-253.12. On May 23 the Trustees deferred action for revision in the area of the parcel of submerged land in Section 29, Township 60 South, Range 40 East, Key Largo, applied for by Doug Tower, Inc., abutting upland owner. The application parcel was reduced to 2.07 acres to improve the layout, and prints of the revision and photostatic copies of an aerial photo were sent to each objector. Additional protests were filed, eleven from owners of lots in Knowlson Colony (zoned residential) objecting that the intended use was contrary to the public interest, would depreciate their own land values and make their properties undesirable for residence use. T. T. Turnbull, attorney, protested sale on behalf of a property owner.

Inasmuch as application did not indicate intended development and use which would be clearly in the public interest, denial of the application was recommended by the Director.

G. A. Crawshaw, representing Doug Tower, pointed out that objections were to the applicant and use of the property rather than sale of the land, and that the upland had long been the site of a fishing lodge, the application area being desired for a marina.

In view of the numerous protests from adjacent owners, it appeared that sale was contrary to the public interest and without objection the Trustees denied the application to purchase.

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PALM BEACH COUNTY - File No. 960-50-253.12. On July 18 the Trustees heard application from the Town of Lake Park, abutting upland owner, for grant of a tract of sovereignty land in Lake Worth in Section 21, Township 42 South, Range 43 East, containing 4.713 acres, more or less, within the established bulkhead line. The parcel was advertised for objections in the Palm Beach Post, none were filed, and the Central and Southern Florida Flood Control District waived objections to the proposed conveyance.

Without objection the Trustees authorized conveyance at no charge to the Town of Lake Park for municipal use with reverter clause to be included in the instrument.

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#### APPLICATION TO PURCHASE LAND

MONROE COUNTY - File No. 999-44-253.12. Mrs. Pearl Skill, abutting upland owner represented by G. A. Crawshaw, offered the established price of \$425.00 per acre for a parcel of submerged land in the Straits of Florida in Section 6, Township 64 South, Range 37 East, Upper Matecumbe Key, containing 0.48 of an acre, more or less.

Upon motion duly adopted, the Trustees authorized the parcel advertised for objections only.

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#### BULKHEAD LINES

DUVAL COUNTY - Referred to the Trustees for approval was the bulkhead line established by the Board of County Commissioners of Duval County by Resolution adopted on June 26, 1961, located along the Broward River offshore from uplands in Sections 17 and 8 and subdivision of William Drummond Grant, Section 47, all in Township 1 South, Range 27 East, Duval County.

Upon motion duly adopted, the Trustees formally approved the bulkhead line as established by Duval County on June 26, 1961.

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PALM BEACH COUNTY - Referred to the Trustees for approval was the bulkhead line established by the Board of County Commissioners of Palm Beach County by Resolution adopted on August 28, 1961, along the east side of the Jupiter Narrows in Sections 30 and 31 of Township 40 South, Range 43 East, Palm Beach County, Florida.



Upon motion duly adopted, the Trustees formally approved the bulkhead line as established by Palm Beach County.

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PINELLAS COUNTY - On August 4, 1959 the Trustees formally approved the bulkhead line established by Pinellas County Water and Navigation Control Authority for and at the request of the Town of Belleair Beach. It was later determined that a small segment of the bulkhead line as described erroneously crossed upland and the Authority on May 11, 1961 authorized correction of the description to eliminate crossing of the upland involved. Since correction of the error in description did not involve a change in the bulkhead line, readvertisement was not considered necessary.

Upon motion by Comptroller Green, duly adopted, the Trustees formally approved the corrected description adopted by the Pinellas Authority on May 11, 1961 for the bulkhead line of the Town of Belleair Beach.

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DADE COUNTY - R. A. Meyers applied for ten-year campsite lease of the easterly end of West Arsenicker Key, being the portion east of a north-south line 150 feet west from U. S. Coast and Geodetic Survey Marker Nick #2. Applicant proposed to erect cabin and dock on the mangrove island about 1½ miles from the mainland in lower Biscayne Bay, on the only area known to be above normal high tide, approximately 25 by 65 feet.

Upon motion duly adopted, the Trustees authorized issuance of ten-year campsite lease at \$50.00 per year with 120-day cancellation clause.

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LEON AND GADSDEN COUNTIES - W. H. Brundyge requested two-year extension of his Sand Lease No. 1061 which expired August 31, 1961, covering that part of Ochlockonee River bottom in the SE¼ of Section 13, Township 2 North, Range 2 West.

Without objection, the Trustees authorized new two-year lease of the area at 15¢ per cubic yard, monthly minimum, and \$500.00 surety bond.

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HIGHLANDS AND POLK COUNTIES - Upon motion duly adopted the Trustees approved issuance of fill permits to the following applicants for removal from lake bottoms riparian to their properties fill material for improvement of uplands subject to requirement of compliance with conditions recommended by the Game and Fresh Water Fish Commission:

- (1) Lake June-in-Winter, Highlands County. Application by Walter T. Lewis for 500 cubic yards to be deposited on his lakefront upland lots in Section 36, Township 36 South, Range 29 East; \$25.00 charge.
- (2) Lake June-in-Winter, Highlands County. Application by W. E. Lewis for 500 cubic yards to be deposited on his lake front upland lots in Section 36, Township 36 South, Range 29 East; \$25.00 charge.
- (3) Lake Clinch in Polk County. Application by Sun-Ray Homes, Inc., by F. S. Davidson, for 10,000 cubic yards to be deposited on his upland property in Section 31, Township 31 South, Range 28 East; \$500.00 tendered.

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PALM BEACH COUNTY - Sugar Cane Growers' Cooperative of Florida, by George H. Wedgworth, President, requested grant of 75-foot easement for railway spur across Section 29, Township 43 South, Range 37 East, to serve the sugar house of the cooperative in Section 28. Representative Emmett S. Roberts, appearing on behalf of the cooperative, stated that approximately 9½ acres of land was involved. Waiver of objections had been furnished by the Divi-

sion of Corrections which used the land in Section 29 through which the spur tract would be located.

Upon motion duly adopted the Trustees authorized grant to the cooperative, without charge, of a non-exclusive railway spur easement in and to the 75-foot strip shown on survey, but reserving to the Trustees the right to construct or authorize crossings and branch or cut-in spurs.

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**PALM BEACH COUNTY** - Considered by the State Board of Education earlier on this date and presented for consideration by the Trustees was proposal of Pelican Bay Co-Op for 10-year agricultural lease of Sections 1, 12 and 13 of Township 45 South, Range 37 East and Section 18 of Township 45 South, Range 38 East, 2560 acres, more or less, owned by the Trustees, in connection with Sections 6, 7, 8, 16 and 17 of Township 45 South, Range 38 East, 3200 acres, more or less, owned by the Board of Education. Applicant offered rental scaled from \$2.00 per acre per year for the first year to and including \$10.00 per acre per year, amounting to an average of 6% of the appraised value of the land. The action of the Board of Education was to concur with such action as the Trustees found appropriate including the taking of bids.

After discussion, motion by Attorney General Ervin was adopted authorizing the staff to advertise for competitive bids for 10-year lease on behalf of the Trustees and the Board of Education, using the Pelican Bay Co-Op offer as starting bid for rental.

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**VOLUSIA COUNTY** - Without objection the Trustees approved issuance of State Permit to Fair Marina, Inc., for commercial pier at applicant's upland on the Halifax River for \$100.00, the standard processing fee.

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**CAPITOL CENTER** - Mrs. Ethel Hawes applied for reduction in rental and extension of Lease No. 1063-A which expired August 31, 1961, covering three frame houses on Lots 254 and 258 Original Plan, Tallahassee, on West St. Augustine and Bronough Streets, with rental for the whole at \$150 per month in recent years and Trustees performing no maintenance. Lessee cited the requirement to carry liability insurance including coverage of Trustees, increased costs of maintenance, and reduction in rates to tenants in the neighborhood making it necessary to reduce her rates to tenants, including some university students.

The Director recommended one-year extension of the lease with reduction of rent to \$125.00 per month.

Upon motion by Mr. Green adopted without objection, the Trustees approved the recommendation as to extension and rental for Lease No. 1063-A.

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**TRUSTEES AS STATE EROSION AGENCY** - Under authority of Section 253.65 Florida Statutes the Trustees heretofore made funds available for purchase of equipment necessary for erosion and beach stabilization research and experimental work by the Coastal Engineering Laboratory of the University of Florida. Reported as information to the Board was the grant of \$100,000 from the United States Department of Health, Education and Welfare to be used for experimental studies and research by the Laboratory on the source and movement of beach sands in the littoral drift using a new advanced method - luminophere tracers - under direction of Dr. Per Bruun, who advised that it would have been impossible without equipment made available by funds provided by the Trustees.

The Trustees accepted the information and recognition for the State's assistance, and expressed interest in the work being undertaken by the Coastal Engineering Laboratory.

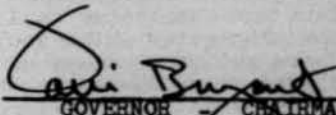
TRUSTEES' FUNDS - Without objection the Trustees approved proposal of the Board of Administration for exchange or conversion of \$300,000 in United States Treasury 2½% bonds for a like amount in United States Treasury bonds now available and bearing 3½%.

SUBJECTS UNDER CHAPTER 18296

ALACHUA COUNTY - Otis P. Booth offered \$140.00 for conveyance under Chapter 28317, Acts of 1953, of Lot 20 of Block "B" Gainesville Heights, a subdivision in Section 29, Township 9 South, Range 20 East, certified to the State under tax sale certificate No. 1038 of 1931. The application was filed in accordance with the intent of the Hardship Act as the applicant was owner on June 9, 1939, the effective date title vested in the State under the Murphy Act.

Upon motion duly adopted the Trustees approved conveyance of the lot under Chapter 28317 for the amount offered.

Upon motion duly adopted the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
September 19, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Ray E. Green	Comptroller
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture
	Van H. Ferguson	Director-Secretary

Upon motion duly adopted the Trustees approved the minutes of the meeting held on September 12, 1961.

ORANGE COUNTY - File No. 1001-48-253.36. W. H. Partin and wife, the abutting upland owners, represented by Elwood Phillips, applied to purchase two parcels of reclaimed lake bottom in Lake Conway in Section 20, Township 23 South, Range 30 East, 0.73 of an acre total area, at the established price of \$500.00 per acre. Lake Conway Water and Navigation Control District approved the purchase application, and the Director recommended sale without advertising based on Trustees' policy of conveyance to an upland owner of reclaimed lands from the original high water mark out to the 86.4 foot elevation contour of the lake.

9-19-61



Upon motion by Comptroller Green duly adopted, the Trustees approved sale to the applicants at the established price.

DADE COUNTY - E. E. Nelson as agent for the Aerojet-General Corporation applied for lease with option to purchase approximately 25,313 acres of land in Dade County owned by the State Board of Education and the Trustees, as follows:

Trustees Internal Improvement Fund, 20,833 acres, more or less	
Sec. 1 through 14, T. 56 S., R. 37 E.,	8960 acres
Sec. 17 through 20, T. 56 S., R. 37 E.,	2560 acres
Sec. 24 through 36, T. 56 S., R. 37 E.,	8320 acres
W $\frac{1}{2}$ of Sec. 5, T. 59 S., R. 38 E.,	328 acres
Section 6, T. 59 S., R. 38 E.,	665 acres
Board of Education land, 4480 acres, more or less	
Sec. 15 and 16, T. 56 S., R. 37 E.,	1280 acres
Sec. 21 through 23, T. 56 S., R. 37 E.,	1920 acres
Sec. 16, T. 57 S., R. 37 E.,	640 acres
Sec. 16, T. 59 S., R. 38 E.,	640 acres

The lands were desired for research and construction of a manufacturing plant and associated facilities in connection with other adjacent properties which would be in the interest of national defense and the economy of the state, the applicant's proposal included offer to pay to the proper public agency the equivalent of taxes on land and improvements as if they owned the land, and the action of the State Board of Education in meeting earlier on this date was to approve advertisement of its lands for bids conditioned upon concurrence of the Trustees.

Concurrence in authorization for advertisement for competitive public sale was recommended on offers of (a) annual rental per acre for a ten-year lease and (b) purchase price per acre for option all under a ten-year lease-purchase agreement with requirements:

- (1) that no part of the land be used for land speculation purposes during the full 10-year period without formal consent of both Boards,
- (2) that lessee-optionee, within a reasonable time, commence construction of manufacturing plant and associated facilities on said lands or lands contiguous thereto and owned, leased or controlled by lessee-optionee,
- (3) that said lands be used for and in connection with said plant and facilities,
- (4) that neither the lease-option nor any contract for purchase arising out of exercise of purchase option shall be subject to assignment without formal approval of both Boards.
- (5) that all mailed bids be accompanied by certified or cashier's checks in sum equal to one year's rental as bid and that the deposit by successful bidder be applied as prepaid rental,
- (6) that the estimated acreage totals be subject to more accurate totals in the event lessee-optionee shall, at its expense, procure field survey by a Registered Land Surveyor approved by the two Boards and in such event subsequent rental or purchase payments will be adjusted in accordance with the corrected acreages,
- (7) all subject to right of the Boards to reject any and all bids.

Attorney General Ervin recommended that lease be worked out containing a firm covenant that if successful bidder did not develop the land as proposed, it would revert to the state.

Motion was made by the Comptroller and adopted without objection that the application be approved for advertisement for competitive public sale on the basis of requirements listed above, with addition of cancellation clause at the discretion of the two state

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owner-boards in the event award was made and development and use as proposed was not commenced within twelve months after date of lease-option.

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DUVAL COUNTY - Bulkhead Line. Referred to the Trustees for approval was the bulkhead line established pursuant to Section 253.122 Florida Statutes by the Board of County Commissioners of Duval County by Resolution adopted on September 5, 1961, located offshore from uplands in Section 41, Township 2 South, Range 27 East, on the east shore of St. Johns River in Duval County.

Upon motion by Mr. Green duly adopted, the Trustees formally approved the bulkhead line as established by the Board of County Commissioners of Duval County on September 5, 1961.

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DADE COUNTY - File No. 362-13-253.124. Referred to the Board for approval was the fill permit issued by the City of Miami by Resolution No. 30492 and by the Board of County Commissioners of Dade County by Resolution No. 2846 for dredging and filling of land previously conveyed to W. Tracy Haverfield by Trustees' Deed No. 22821 and land conveyed by street dedication to the City of Miami by Instrument No. 22822.

Upon motion duly adopted, the Trustees formally approved the fill permit issued by the City of Miami and Dade County.

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GLADES COUNTY - The Trustees by instrument dated April 20, 1940 granted the use right to the United States of America over a tract of land on the lakeward side of the present right of way of the Herbert Hoover Dike in Township 42 South, Ranges 33 and 34 East, Glades County, for tree planting purposes. Request was presented by the United States, through the Central and Southern Florida Flood Control District, for a supplemental instruction to the U. S. A. to include the specific right to raise the elevation of the subject tract of land on account of the raising of level of Lake Okeechobee.

Without objection, the Trustees authorized the supplemental instrument requested by the United States.

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HIGHLANDS AND MARION COUNTIES. Upon motion duly adopted the Trustees authorized issuance of permits to the following upland owners to remove from lake bottoms riparian to their properties fill material to repair shore erosion and improve their beaches, the Game and Fresh Water Fish Commission having approved dredging in the two lakes under permit provisions.

- (1) Lake Jackson in Highlands County - Application by Henry G. Bailey for 490 cubic yards to be dredged offshore from Lot 7 Block "O" Subd. Plat Book 4, Page 67, Highlands County Public Records; \$25.00 charge.
- (2) Lake Weir in Marion County - Application by R. E. Thompson, et al, represented by John M. Green, for 500 cubic yards to be dredged offshore from Lots 7, 8, 16 and 23 of Timucuan Island Unit No. 1, and Lots 8, 9, and 12 Block "B", Unit 3; \$25.00 charge.

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MARION COUNTY - Upon motion duly adopted the Trustees authorized issuance of permit to Elmer W. Burgett for removal of 500 cubic yards of material from Lake Kerr to fill applicant's upland at Michigan City Subdivision in Section 26, Township 13 South, Range 25 East, at \$25.00 charge, delivery of permit conditioned upon receipt of approval of the work from the State Game and Fresh Water Fish Commission.

HIGHLANDS COUNTY - On February 7, 1961 the Trustees authorized an additional 99,000 cubic yards of fill material from bottoms of Lake Istokpoga on application by R. L. Stokes, holder of Permit No. 1414. The material was requested for deposit on applicant's adjoining upland at the standard yardage rates but since use of cutter-head dredge was not allowed revision in the plan was necessary. The changed layout required 34,168 cubic yards, 1000 was paid for under the original permit, and staff recommended issuance of supplemental permit for removal of 33,168 cubic yards.

Upon motion by Mr. Green duly adopted, the Trustees approved supplemental permit as recommended by the staff for net charge of \$1233.36.

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MONROE COUNTY - Upon motion by Mr. Green duly adopted, the Trustees authorized issuance of easement to the City of Key West Electric System for transmission line extended from the terminus of an easement previously issued by the Trustees northeasterly through the Bay of Florida to the easterly side of Big Coppitt Key.

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PALM BEACH COUNTY - Upon motion by Commissioner Conner duly adopted, the Trustees approved assignment of Contract No. 22710 by La Belle Syrup Company in favor of Clewiston Sugar Mill, Inc., conditioned upon the assignee furnishing photocopy of the executed assignment. The Director reported that assignee had executed and filed acceptance of all obligations of the original contract and had tendered payment due under the contract.

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PALM BEACH COUNTY - United States Sugar Corporation applied for twenty-five foot easement across a parcel 25 by 68.15 feet of reclaimed Lake Okeechobee bottom land between the levee right of way and Florida East Coast Railway. Applicant had secured permits from the U. S. Army Corps of Engineers and the Railway to extend a water pipe line from the Railway into the waters of the lake with power cable to a pump to be located on the levee at the shore of the lake.

Upon motion by Mr. Green duly adopted, the Trustees authorized issuance of permit, consistent with the U. S. and Railway permits, for \$100.00 charge.

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PALM BEACH COUNTY - Enoch K. Sprague applied for State Permit for commercial pier at his property in Inlet Grove, Riviera Beach, on Lake Worth, for which city permit and waivers of objections by abutting owners had been obtained.

Without objection the Trustees authorized issuance of the permit for \$100.00, the standard fee for commercial docks.

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PINELLAS COUNTY - Attorney General Ervin reported that the Caladesi-Honeymoon causeway project was taken over by the surety company after the developer had been charged by the City of Dunedin with default in the obligations set out in the agreement to which the Trustees were the third party along with the City of Dunedin and Curlew Properties, Inc.

Desiring the cooperation of the State Road Department to insure a proper finished causeway job constructed according to Road Department standards and specifications, the Trustees adopted the following resolution:

#### RESOLUTION

WHEREAS, the Trustees of the Internal Improvement Fund of the State of Florida, the City of Dunedin, Florida, and



Curlew Properties, Inc., entered into a joint agreement on May 19, 1959, whereby certain mutual covenants were entered into by and between the parties to said agreement concerning the development of certain offshore islands known as Caladesi and Honeymoon Islands, and

WHEREAS, the Trustees conveyed to the City of Dunedin approximately 3,000 acres of sovereign submerged lands in the vicinity of the subject islands for the purpose of making it possible for the City of Dunedin to enter into an agreement with the developer, Curlew Properties, Inc., wherein the developer agreed to construct a causeway and bridges across the Bay from U. S. Highway 19-A, to the offshore islands, and

WHEREAS, it was determined that the construction of said causeway and bridges and other roads on the islands were considered to be internal improvements, and

WHEREAS, the developer covenanted and agreed to build the roads and bridges described in said agreement, including the causeway, in accordance with plans and specifications approved by the State Road Department of the State of Florida, and

WHEREAS, the Trustees deem it to be in the best interest of the Trustees that all said roads and bridges, including the causeway, shall be built in accordance with the plans and specifications of the State Road Department, and

WHEREAS, the contract of the parties contemplates that the developer and/or its surety are to submit plans and specifications for the completion of such work, to be approved by the State Road Department, and that the Trustees, as parties in interest on behalf of the State of Florida, deem the approval of the plans and specifications and supervision of the project by the State Road Department essential to the public welfare, and

WHEREAS, the developer named in the above contract, Curlew Properties, Inc., has been charged with default in the performance and obligations of said contract and the City of Dunedin, on August 21, 1961, declared said developer to be in default and made a demand upon the surety, Fidelity and Casualty Company of New York, to perform and discharge all the obligations of the developer contained in said contract and in accordance with their bond, dated September 22, 1959, performance of which obligations have now been undertaken by said surety,

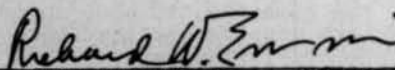
NOW, THEREFORE, BE IT RESOLVED that the Trustees of the Internal Improvement Fund respectfully request the State Road Department to make such recommendations and suggestions in the preliminary planning of the roads, bridges and causeway to be constructed as will lead to the ultimate approval of the final plans to be submitted to the State Road Department by the developer and/or the Fidelity and Casualty Company of New York, as surety for the prosecution of such work, and that thereafter the State Road Department make such inspections, tests and perform such supervision as will insure to the State of Florida the proper execution of the work in accordance with the final plans as approved by the said State Road Department.

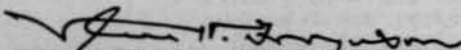
BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the State Road Department, the City of Dunedin and the developer, Curlew Properties, Inc.

TRUSTEES FUNDS - Fair Buildings. Commissioner Doyle Conner advised the Trustees that the Fair Committee was processing a number of applications to come under the Trustees' policy adopted on July 18, 1961, one of which was presented on this date by Senator James E. Connor for release of Trustees' funds in the amount of \$8000.00 to match a like sum from Hernando County Fair Association for construction of a new exhibition building on the Hernando County Fair grounds. Senator Connor stated that the county association was furnishing to the Board its financial statement, building plans and specifications, check for \$8000.00 as county matching funds, and that the money would be used for new exposition building.

Upon motion by Commissioner Conner, adopted without objection, the Trustees authorized release of \$8000.00 to be matched by local funds for construction of Hernando County Fair Association building under the policy established by Resolution of the Trustees dated July 18, 1961.

Upon motion duly adopted the Trustees adjourned.

  
ATTORNEY GENERAL - ACTING CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
September 26, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present: J. Edwin Larson  
Richard W. Ervin  
Doyle Conner

Treasurer  
Attorney General  
Commissioner of Agriculture

Van H. Ferguson

Director-Secretary

Upon motion by Mr. Larson duly adopted, the Trustees approved the minutes of the meeting on September 19, 1961.

LAND SALES

CHARLOTTE COUNTY - File No. 961-08-253.12. On August 8 the Trustees considered offer from Martin J. Clyman and wife, abutting upland owners, of \$250.00 per acre, the appraised price, for a parcel of sovereign land in Peace River in Section 28, Township 40 South, Range 23 East, commonly known as a part of Island No. 11 being 25.41 acres, more or less, within the established bulkhead line. The land was advertised for objections only in the Punta Gorda Herald, proof of publication furnished, and no protest to the proposed sale was received.

Upon motion by Mr. Larson, duly adopted, the Trustees confirmed sale to the applicant at the appraised price.

MONROE COUNTY - File No. 963-44-253.12. On August 8 the Trustees considered application by C. Larry Gardner, abutting upland owner, for a parcel of submerged land in Niles Channel in Section 36, Township 66 South, Range 28 East, Summerland Key, 0.21 acre more or less, at the established price of \$425.00 per acre. The land was advertised for objections in the Coral Tribune, Key West, Florida, proof of publication filed with the Trustees, and no protest to the proposed sale was received.

Upon motion by Mr. Larson, duly adopted, the Trustees confirmed sale to the applicant for \$100.00, the minimum deed amount.

PALM BEACH COUNTY - File No. 840-50-253.12. On August 15 the Trustees considered application by Jean A. Robinson and Irene A. Stehlie, the abutting upland owners, for a parcel of submerged land in Lake Worth in Section 34, Township 43 South, Range 43 East, 0.235 of an acre landward of the established bulkhead line, appraised at \$3700.00 for the parcel. The land was advertised for objections in the Palm Beach Post, West Palm Beach, Florida, proof of publication was filed with the Trustees, and protest received on September 25th from J. H. Lesser, attorney for Jerry G. Panos, held that sale was not in the public interest.

On the advertised sale date Grover C. Herring, City Attorney of West Palm Beach, by phone call followed by telegram requested deferment of proposed sale and advised that the city had voted to pull the bulkhead line nearer the shore in that area.

Without objection, the Trustees deferred action pending receipt of further information.

#### APPLICATIONS FOR LAND

MONROE COUNTY - File No. 1003-44-253.12. Florence M. Miller, abutting upland owner, represented by G. A. Crawshaw, offered the established price of \$300.00 per acre for a parcel of submerged land in Buttonwood Sound in Section 28, Township 61 South, Range 39 East, Key Largo, 0.54 of an acre.

Upon motion by Mr. Larson, duly adopted, the Trustees authorized advertisement for objections only.

MONROE COUNTY - File No. 1004-44-253.12. Dorothy A. Simon, abutting upland owner, represented by G. A. Crawshaw, offered the established price of \$425.00 per acre for a parcel of submerged land in the Straits of Florida in Section 6, Township 64 South, Range 37 East, Upper Matecumbe Key, 0.93 of an acre.

Upon motion duly adopted the Trustees authorized advertisement for objections only.

PALM BEACH COUNTY - C. Shelby Dale as Trustee and attorney for owners of adjacent lands applied to purchase Sections 7 and 17 of Township 46 South, Range 37 East, 1280 acres, more or less, offering the appraised value of \$75.00 per acre. Applicants owned the abutting lands on the west, north and east, and proposed agricultural development and overall drainage works coordinated with planning of the Central and Southern Florida Flood Control District. The appraiser reported the land unimproved, without access by any public road, with soil suitable for cultivation but adaptable mainly to pasture grasses. The Director advised that the Governor's Committee on Recreational Development did not object to sale, that the land did not appear to be needed for a public purpose, and he recommended advertisement for competitive public sale.

Upon motion by Mr. Larson, duly adopted, the Trustees authorized advertisement for competitive bids on the base offer of \$75.00 per acre, the land to be offered for public sale collectively and as separate parcels.



PALM BEACH COUNTY - File No. 1005-50-253.129. Brockway, Weber and Brockway on behalf of George Fehring and wife applied for disclaimer under Section 253.129 Florida Statutes, to a parcel of land filled prior to June 11, 1957 in Boca Ratones Lagoon in Section 16, Township 47 South, Range 43 East, Palm Beach County.

Upon motion by Commissioner Conner adopted without objection, the Trustees authorized issuance of the disclaimer at a charge of \$10.00.

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PALM BEACH COUNTY - Brockway, Weber and Brockway on behalf of Bankers Life and Casualty Company, Weham Corporation and Northlake Properties, the owners of uplands in Sections 9, 16 and 21 of Township 42 South, Range 43 East, Palm Beach County, requested disclaimers to the following tracts of sovereignty land, which were filled under Department of the Army Permit approved by the Trustees April 23, 1957 and payment of \$19,060.00 made for the material used:

(1) Two tracts of land in Sections 16 and 21, Township 42 South, Range 43 East, containing a total of 53.09 acres, abutting uplands owned by Bankers Life and Casualty Company.

(2) One tract of filled land in Lake Worth in Section 21, Township 42 South, Range 43 East containing 7.31 acres, abutting uplands owned by Bankers Life and Casualty Company and Weham Corporation.

(3) One tract of filled land in Lake Worth in Sections 9 and 16, Township 42 South, Range 43 East containing 70.21 acres, abutting uplands owned by Northlake Properties.

The applications being in order, the Director recommended issuance of ex parte disclaimers of the areas filled in accordance with the policy in effect in 1957 prior to passage of the State Bulkhead Act on June 11, 1957.

Upon motion by Mr. Conner duly adopted, the Trustees authorized issuance of the disclaimers as recommended for handling charge of \$10.00 for each disclaimer.

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DADE COUNTY - Resolution No. 6923 adopted September 19, 1961 by the Board of County Commissioners of Dade County formally notified the Trustees "that Dade County intends to acquire by eminent domain appropriate rights of way and lands for public purposes, including the rights of way necessary for construction of county roads adjacent to the existing high water line on the lower Biscayne Bay islands located within the boundaries of the municipality of Islandia" (emphasis added), and urging the Trustees to defer action on all applications for purchases of submerged lands within the bulkhead lines in order to afford Dade County opportunity to complete its plans and take action.

On August 29 jurisdiction of Islandia, which was created by authorization of the County Board, was recognized with authorization for receiving applications from riparian owners and decision that recommendations of the governing bodies would be heard and disposition made by Trustees with consideration for the public interest. Cooperative planning by Dade County and City of Islandia was urged. The County Resolution of September 19 did not include and was not accompanied by anything to indicate intention of the County to coordinate and cooperate with the municipality in planning, and no indication was given as to a calendar date by which the county would be willing for riparian owners to have applications processed or that any county-acquired rights of way would be turned over to the municipality.

The Trustees' attention was called to the general law, Section 336.01 Florida Statutes, which read "The county road system shall consist of all public roads outside of municipalities ...." The county did not disclose in the Resolution its intentions with reference to the submerged lands riparian to the private owners and legal problems were anticipated concerning whether fee simple title or easement would be taken on the upland adjacent to the public water and whether private riparian rights were extinguished in toto by condemnation of lands for specific purposes and uses, located between the private ownership and the bulkhead line. The Director recommended no action until all aspects with reference to both public and private interests were clarified and a definite date had been proposed by the county for termination of the requested suspension of sales. The Staff was advised that a number of owners were engaged in preparing applications and procuring surveys preliminary to filing applications, having understood that they could proceed and would be given consideration. It was further recommended to the Trustees that all applications now on file and pending should be processed.

The Trustees expressed the feeling that applicants had been led to believe that their applications would be processed, that the Board tried to balance public and private rights and wanted to accommodate the county as to reservations of public lands for public purposes but that any deferment should be for a definite time and the county should furnish plans to show it was acting in good faith and not further delaying action by the county. Attorney General Ervin requested that County Attorney Darrey Davis be asked to furnish engineering plans showing the county needs for rights of way and public areas and to clarify the county's position in view of the fact that the bulkhead lines were set by the county and the municipality of Islandia was created by authorization of the county.

Upon motion by Mr. Larson, seconded by Mr. Conner, the Trustees deferred action on the county's request pending receipt of maps and information from the county clarifying its needs for public purposes and fixing a termination date for the suspension of submerged land sales.

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DADE COUNTY - Dade County Resolution No. 6850 adopted September 5, 1961 requested that Lot 6 of Section 6, Township 54 South, Range 39 East, be made available for county public park and recreational use, and proposed lease for as long as used for public purposes. The cited lot was not owned by the Trustees but the resolution was understood to concern Hiatus Lot 6 between Townships 53 and 54 of Range 39, which contained 548.7 acres including S.A.L. Railroad right of way and was part of a 1564 acre tract owned by the Trustees (regarding which inquiries had been made for industrial site). The lot appeared to be adjacent to a county-operated shooting range and park and recreational use was recommended by the Governor's Committee on Recreational Development.

The Director recommended deferment until the county's development plan was submitted and approved, together with assurances as to funds being available to develop under the plan, with a specified date for completion and use by the public; in the event development in accordance with the plan could not be financed to completion, that areas and area-plans should be submitted with assurance of completion of such portions by a specific date and consideration of commitment limited to those areas. It was further suggested that profits from operation by the county or through concessions should be invested in maintenance and improvement of any area so committed, with annual report to the Trustees of use and accounting.

After discussion, motion was made by Mr. Larson and adopted that additional information be requested from the county including proposed zoning and specific development plans.

## MISCELLANEOUS

LEE COUNTY - State Oil Lease. Mr. Warren Wingerter, representing The California Company, holder of State Oil and Gas Lease No. 224-B, was present and extended an invitation to the Trustees and Director to make an inspection visit to California-Coastal #2 well drilling location in Lee County offshore from Boca Grande, west of Fort Myers, on Lease No. 224-B area. The Trustees were interested and asked that dates be suggested so that members could make arrangements to go before completion of the well drilling.

### COLLIER AND MONROE COUNTIES - State Oil Leases.

On August 22, 1961, J. L. McCord on behalf of Commonwealth Oil Company and other parties interested in State Oil and Gas Leases Nos. 826-A, 826-B, 826-C, 826-D, 826-E, 826-F, 826-G, 826-H, 826-I, 826-J, 826-O, 826-P, 826-Q, 826-R, 826-S, 826-T, and 826-U, requested three and one-half (3½) year extension of the seventeen leases which were issued September 18, 1951 pursuant to an Exploratory Contract and Option No. 228 issued in 1943. Each lease required a test well each five years, and evidence of drilling such test wells was not presented, one well having been drilled on Lease 826-G more than five years ago. The primary term of each lease as adjusted with respect to the tide-land litigation would have expired August 22, 1961, and on that date the Trustees deferred decision on cancellation or extension for six weeks to give the public opportunity to voice objections and for further study to be made of the legal questions by the Attorney General, also to allow Mr. McCord to report concerning arrangements he might make for new exploratory operations. Mr. McCord requested that he be heard on the matter on this date.

Attorney General Ervin reported that after study by his office, he felt that the legal position of the Trustees was that the leases were in default and the areas open for competitive bidding for lease by interested oil companies.

Upon motion by Mr. Conner duly adopted, the Trustees declared the seventeen leases, Nos. 826-A to 826-J and 826-O to 826-U, in default and cancelled for failure to comply with lease terms for drilling the required wells.

BREVARD COUNTY - Upon motion duly adopted the Trustees granted to the State Road Department of Florida temporary easement to expire October 1, 1965 for dredging area in the Indian River in Section 17, Township 24 South, Range 36 East, for construction of causeway for State Road No. 528.

SARASOTA COUNTY - Upon motion duly adopted the Trustees granted to the State Road Department of Florida temporary easement to expire September 1, 1965, for dredging area in Little Sarasota Bay in Section 35, Township 38 South, Range 18 East, Sarasota County, for the construction of State Road No. 789, easement to be subject to prior grant of right of way to West Coast Inland Navigation District for intracoastal canal.

BROWARD COUNTY - The City of Hollywood Beach applied for state permit for restoration or repair of four old groins and installation of three new adjustable groins to replace old adjustable timber groins at the public beach area in accordance with report and recommendations of the Coastal Engineering Laboratory. Since the city contracted with the University of Florida Engineering and Industrial Experiment Station and paid for the study and report, the Director recommended that charge of \$10 be made for the permit and that bond be waived.

Without objection the Trustees authorized issuance of the permit to the City of Hollywood Beach for \$10.00 charge without requirement of bond.



DADE COUNTY - Upon motion by Mr. Larson duly adopted, the Trustees authorized issuance of commercial-industrial type dock permit to John Bright for boat lift at the applicant's boat sales and service shop on the Little River, for the standard \$100.00 fee.

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LEE COUNTY - Without objection the Trustees authorized issuance of state permit to San Carlos Marina, Inc., for commercial pier at applicant's upland on San Carlos Island fronting Estero or Matanzas Pass, for the standard \$100.00 fee.

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HIGHLANDS COUNTY - Upon motion by Mr. Larson duly adopted, the Trustees approved increase in the permit amount to 1000 cubic yards of material for an additional \$25.00 on application by Henry G. Bailey, for whom permit for minimum \$25.00 charge was granted on September 19 for 490 cubic yards of fill material from Lake Jackson in Highlands County to be deposited on his upland.

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HIGHLANDS AND POLK COUNTIES - Without objection the Trustees authorized issuance of permits to the following upland owners for \$25.00 charge each, to remove from lake bottoms riparian to their properties the stated amounts of material to repair shore erosion and improve their beach frontages, the Game and Fresh Water Fish Commission having approved dredging in the lakes under permit provisions:

- (1) Lake Tulane in Highlands County-Mrs. Adra M. Jackson applied for 500 cubic yards to deposit on upland Lots in the Town of Avon Park in Section 22, Township 33 South, Range 28 East.
  - (2) Lake Tulane in Highlands County-J. R. Pennington applied for 500 cubic yards to deposit on upland lot in Town of Avon Park in Section 22, Township 33 South, Range 28 East.
  - (3) Little Lake Hamilton in Polk County-Ernest E DiLorenzo of Dundee, Florida, applied for 490 cubic yards to deposit on his beach front.
  - (4) Little Lake Hamilton in Polk County-Joseph Brandenburg applied for 500 cubic yards to improve his upland lot in Section 5, Township 28 South, Range 27 East.
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ORANGE COUNTY - Without objection the Trustees authorized issuance of permits to the following two upland owners for \$25.00 each to dredge sand from Lake Maitland bottoms riparian to their upland properties to repair beach areas washed away by the high water level during Hurricane Donna last year, which applications were included in correspondence from Bruce Thompson, the dredger, and John A. Sutton, attorney, regarding a number of lot owners on Lake Maitland but were inadvertently omitted from the agenda.

- (1) Frederick A. Hauck applied for 300 cubic yards to deposit on Lot 2, Isle of Sicily, Winter Park.
  - (2) Tony Andary applied for 300 cubic yards to deposit on Lot 13 "D", Hollieanna Shores 1st, Maitland.
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TRUSTEES' FUNDS - Attention was directed to action of the Budget Commission on September 19 approving release of \$240,600 as a loan to the Board of Parks and Historic Memorials to be transferred \$100,000 immediately, \$100,000 on October 16, 1961, and \$40,600 on November 1, 1961, to be repaid in monthly installments within twelve months from September 19, 1961. No authorization by the Trustees appeared in the minutes and the Director advised that commitments of Trustees' funds were greater than funds on hand.

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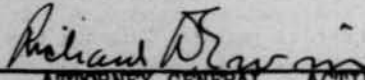
Attorney General Ervin stated that the Governor and the Comptroller had examined the request, that the Trustees' auditor had investigated the proposal for repayment within twelve months, and while liquidation of investments might be required the Attorney General recommended that the Trustees follow through and confirm the release as approved by the Committee and the Budget Commission, with a formal agreement drawn up between the Trustees and the Park Board.

Motion was made by Commissioner Conner and adopted that the Trustees authorize loan to the Board of Parks and Historic Memorials of \$240,600.00, without interest, to be transferred as approved by the Budget Commission, with terms and provisions set out in formal agreement to be prepared by the Attorney General for execution by Trustees and the Board of Parks and Historic Memorials.

SUBJECTS UNDER CHAPTER 18296

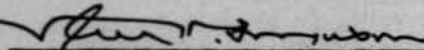
Upon motion duly adopted the Trustees approved Bidding Report No. 793 listing 1 bid for sale of Murphy Act land, and authorized execution of deed pertaining thereto.

Upon motion duly adopted the Trustees adjourned.



ATTORNEY GENERAL - ACTING CHAIRMAN

ATTEST:

  
DIRECTOR - SECRETARY

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Tallahassee, Florida  
October 3, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office at the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller - ( Present part
	J. Edwin Larson	Treasurer time)
	Richard W. Ervin	Attorney General
	Van H. Ferguson	Director-Secretary

Upon motion duly adopted the Trustees approved the minutes of the meeting held on September 26, 1961.

APPLICATIONS FOR LAND

DADE COUNTY - File No. 614-13-253.12. Edward N. Claughton, Jr., for Lillian C. Claughton, the abutting upland owner, offered the appraised price of \$5100.00 per acre for a parcel of submerged

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land in Biscayne Bay in Sections 6 and 7, Township 54 South, Range 42 East, 23.26 acres, abutting Burlingame Island in the City of Miami within the established bulkhead line.

Motion was made by Mr. Larson and adopted that the Trustees approve advertisement of the land for objections only.

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ESCAMBIA COUNTY - File No. 1000-17-253.12. Santa Rosa County Beach Administration on behalf of Escambia County, the upland riparian owner, offered the appraised price of \$95.80 per acre for 8.15 acres of submerged land in Santa Rosa Sound between the bulkhead line and Santa Rosa Island upland administered by the Santa Rosa Beach Administration. On August 29 the Trustees formally approved the bulkhead line and directed that an appraisal of the land be obtained.

Motion was made by Mr. Larson and adopted that the land be advertised for objections only.

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PALM BEACH COUNTY - File No. 1007-50-253.36. Thad Whidden on behalf of W. H. Vann, Inc., the abutting upland owner, offered the area appraised value of \$500.00 per acre for a parcel of reclaimed lake bottom land in Pelican River in Section 17, Township 42 South, Range 37 East, which the staff recommended conveyed without advertising in accordance with the usual policy for sale of reclaimed lake bottoms in the area.

Without objection the Trustees authorized conveyance to the abutting upland owner at the price offered.

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SARASOTA COUNTY - J. Douglas Arnest on behalf of South Point Shores, Inc., applied for a triangular parcel, 0.0186 acre by survey, which was filled along with three parcels aggregating 3.79 acres sold at \$200.00 per acre to predecessors of applicant October 22, 1957 in Trustees' Deed No. 21665-A.

The sale was originally advertised for 6.8 acres and reduction was made to conform to change of the bulkhead line by the Pinellas County Water and Navigation Control Authority. The parcel, designated for purchase and filling on the applicant's amended map but not included in the legal description, was a part of Lots 82 and 83 of Unit 2, Southpoint Shores Subdivision and was necessary for a proper shoreline contour within the established bulkhead line along Elligraw Bayou.

The Director recommended supplemental deed to the triangular parcel subject to applicant (1) obtaining approval of Sarasota Water Control Authority for such deed to be issued to the owner of the privately owned portion of the two lots in which the triangle was located, (2) furnishing title certificate to evidence record private ownership, and (3) payment of \$25.00 for the deed.

Without objection the Trustees accepted the recommendations of the Director as the action of the Board.

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ORANGE COUNTY - William Y. Akerman on behalf of Diversified Services, Inc., applied for an instrument to clear title to a parcel lying between Lake Sheen and Lake Tibet Butler abutting Government Lot 2 of Section 33, Township 23 South, Range 28 East, 3.03 acres. Information presented by the staff was that the area was lakeward from the U. S. meanders and, except for a narrow escarpment along the north edge shown on an aerial photo made in 1939, appeared to be sovereignty land covered at average lake elevation; U. S. Geological Survey showed the lake was more than 1½ feet below said average elevation at the time the photo was taken; the land was not reclaimed by any permanent lowering or control of the lake and was separated by



canal from a parcel conveyed in 1953 at \$100 per acre which was of the same character in 1939 but was filled subsequently to 1939, possibly prior to 1953. The Director did not recommend sale, quitclaim or disclaimer of any portion not exposed at the average level of 99.5 ft. referenced to mean sea level (the average being the level 50% of the period covered by U. S. Geological Survey records).

In cases of sovereignty land permanently reclaimed, the Trustees' policy was to allow sale to the upland owner. Attorney General Ervin stated that since the Trustees had sold land on the other side of the point, Mr. Akerman's client felt that his application should be given consideration. Mr. Ervin said that filling of the wooded area and development would be an improvement of the site where debris now collected, and he would be willing for proposed sale to be advertised for objections with reservation of 200 ft. for canal as suggested by Trustees' Engineer Kidd.

Without objection, the Trustees authorized advertisement of the parcel for objections only.

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#### MISCELLANEOUS

BROWARD COUNTY - Thomas Campbell applied for state permit for a dock at his property fronting on Hillsboro Bay for use by apartment tenants, for which U. S. Engineer SAKSP Permit 61-422 was pending.

Without objection, the Trustees authorized issuance of permit for \$100.00 processing charge.

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HILLSBOROUGH COUNTY - On January 14, 1958 the Trustees authorized quitclaim deed to Donald D. Steele and wife covering an improved parcel approximately 73 ft. by 589 ft. in SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 10, Township 29 South, Range 18 East. The grantee obtained deed in 1953 from the City of Tampa based on city foreclosure for 1927-1939 city taxes, however the land was exempt, title appearing to have been escheated to the State as the former owner died intestate in 1926 and no disposition made by administrator, no heirs located. Under procedures provided in 1927 Compiled General Laws, sale could have been made and the proceeds remitted unto the State Treasury.

Kathleen Street described as being 87 feet wide was excepted from the city's conveyance and from Trustees' Quitclaim Deed No. 21729 issued January 20, 1958, however the city had previously obtained from the owner deed for street 80.71 feet wide. Title remained in the state under the escheatment, Mr. Steel had obtained quitclaim deed to the North 7 feet of the purported 87-foot street, and quitclaim from the state of the 7-foot strip was recommended for handling charge of \$25.00. Since Deed No. 21729 should have been issued in the name of the State of Florida by and through the Trustees, it was recommended that supplemental quitclaim deed be given including the parcel formerly quitclaimed and the 7-foot strip.

Upon motion duly adopted the Trustees authorized issuance of supplemental quitclaim as recommended, for \$25.00 charge.

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MARION COUNTY - John M. Green applied for fill material permit on behalf of R. C. Cumming, Bruce Mozert, Ed Kellogg and F. D. H. MacKenzie, owners of Lots 8 to 15 Block "B" Unit 4, Lot 4 Block "A" Unit 2, Lots 24 and 22, all on Timucuan Island, to remove a total of 1000 cubic yards of sand from Lake Weir bottoms riparian to their properties to deposit on uplands. State Game and Fresh Water Fish Commission had approved dredging in the lake under permit provisions.

Without objection the Trustees authorized issuance of permit for 1000 cubic yards of material for \$50.00 charge.

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SARASOTA COUNTY - The Director recommended state permit to the City of Sarasota without requirement of surety bond, for nine groins extending into the Gulf of Mexico at Lido Key in accordance with Coastal Engineering Laboratory report, with installation to be by the city with the cooperation of private owners. The Laboratory study was paid for by the city.

Without objection the Trustees authorized issuance of state permit, without surety bond, for processing fee of \$10.00.

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TAYLOR COUNTY - Presented for preliminary consideration was proposal of Alfons Bach on behalf of the owner of Big Grass Island, 41.26 acres located 3000 feet offshore from Taylor County mainland, for revision of the established island bulkhead line in order to purchase about 280 acres of adjacent submerged land for enlargement of the island under a plan which would include recreational area, building sites and various facilities. Most of the area was less than two feet deep at mean low tide, the six-foot depth was 2.5 miles offshore, the mainland was low, salt marsh with no established bulkhead line and upland owner of mainland did not object to the development plans and offered temporary access easement.

Applicant submitted a fill plan redesigned and recommended by the Coastal Engineering Laboratory as having no effect on stability of any channels, improving navigation, and not inducing erosion, with almost all the submerged land more than 1200 feet offshore from the mainland. Before proceeding with engineering and other operations preparatory to application to the county for change of bulkhead line, Mr. Bach asked for review of the Laboratory's recommended fill plan. The staff recommended favorably subject to (1) approval or waiver of objection by the owner of the mainland opposite proposed project and (2) the county taking such action as it may deem appropriate.

The Attorney General expressed the consensus of the Board that development would probably be desirable, as the area was so shallow, marshy and unimproved. The Trustees asked for a review of the development proposal by the State Board of Conservation.

It was so ordered.

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LEE COUNTY - Punta Rassa-Sanibel Island causeway and bridge right of way, a Lee County project, was reviewed by the Director by reason of the fact that information had been received that the county had taken bids for the construction. There was discussion of the great width of the proposed right of way, absence of sufficient information to evaluate effects of the project, lack of coordination from any other state agency, the large number of objections received by the Trustees' office, and that dedication would be preferable to fee simple conveyance.

The Trustees took the matter under advisement with no definite date set for further consideration.

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TRUSTEES' FUNDS - Motion was made by Comptroller Green, seconded by Mr. Larson and adopted, that the Trustees make available \$8000.00 as a loan to the trust fund which operates the state airplane, for purchase of two new engines, the loan to be repaid.

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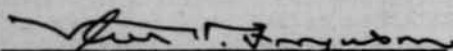
SUBJECTS UNDER CHAPTER 18296

DUVAL COUNTY - Duval County offered \$60.00 for conveyance under Chapter 21684, Acts of 1943, to clear title of land certified in tax sale certificates 4510 of 1928 and 22767 of 1933 as West 5 feet of North 40 feet of Lot 3, Block 119, Jacksonville, Harts Map. The land was erroneously assessed in 1946, tax sale certificate 1759 of 1947 issued, and under case 76547-E Dade County foreclosed on this certificate.

Without objection the Trustees authorized conveyance of the parcel to Duval County under Chapter 21684 for the amount offered.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
October 10, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Richard W. Ervin	Attorney General
	J. Edwin Larson	Treasurer
	Doyle Conner	Commissioner of Agriculture

Van H. Ferguson                      Director-Secretary

Upon motion duly adopted, the Trustees approved the minutes of the meeting on October 3, 1961, which had been approved by the Attorney General and copies presented to each member.

#### LAND SALES

CHARLOTTE COUNTY - File No. 930-08-253.12. On August 22 the Trustees considered application by Mrs. Byron S. Cole, Jr., and T. S. Sondral, the abutting upland owners, represented by Farr and Farr, to purchase a composite parcel of submerged land in Lemon Bay in Section 17, Township 41 South, Range 20 East, lying westerly of and abutting Block 171 and Block "D" and the vacated streets westerly of said blocks of Grove City according to Plat Book 1, page 4, Public Records of Charlotte County, containing 4.04 acres, more or less, within the established bulkhead line. Based on offer of \$200.00 per acre, the land was advertised for objections only in the Punta Gorda Herald and proof of publication was filed with the Trustees.

The Board of County Commissioners of Charlotte County objected to sale of the land and stated that the Board had "consistently objected to the purchase and filling of any submerged lands in Lemon Bay". The Director pointed out that the county had fixed the bulkhead lines which limited private expansion and that the county had approved fill permits for eight sales recently allowed in Lemon Bay.

By letter dated October 6, 1961, Julius Parker on behalf of Coastal Petroleum Company, holder of state oil lease, protested the sale on the basis previously presented to the Trustees of Coastal's claimed right to explore for and to recover any minerals

10-10-61



which might exist. The Trustees did not consider the objection valid, taking the position based on opinion of the Attorney General dated March 27, 1961 that upland riparian proprietors had preemptive rights over any leases the Board might have made for exploration for minerals, and that the Trustees had the legal responsibility to protect the common law riparian rights of waterfront owners. The Trustees overruled Coastal's protest.

Attorney General Ervin expressed the feeling of the Board that the established bulkhead lines were an indication to upland owners that sales would be considered within those lines, but that the county should be heard.

Upon motion by Mr. Larson, duly adopted, the Trustees deferred decision until the county was given opportunity to explain its objection more fully.

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MANATEE COUNTY - File No. 991-41-253.12. On August 29 the Trustees considered application by F. P. Cipriani, the abutting upland owner, represented by Hardin Realty Company, with offer of \$500 per acre for a parcel of submerged land in Sarasota Bay in Section 3, Township 35 South, Range 16 East, containing 0.21 of an acre, more or less, in Manatee County within the established bulkhead line. The land was advertised for objections only in the Bradenton Herald and proof of publication was filed with the Trustees.

Objection was filed by Dewey A. Dye, Jr., on behalf of Milton Cadmus, adjacent riparian owner, and deferment was recommended for possible redesign of application area.

By letter dated October 6, 1961, Julius Parker on behalf of Coastal Petroleum Company, holder of state oil lease, protested the sale on the basis previously presented to the Trustees of Coastal's claimed right to explore for and to recover any minerals which might exist. The Trustees did not consider the objection valid, taking the position based on opinion of the Attorney General dated March 27, 1961 that upland riparian proprietors had preemptive rights over any leases the Board might have made for exploration for minerals, and that the Trustees had the legal responsibility to protect the common law riparian rights of waterfront owners. The Trustees overruled Coastal's protest.

Upon motion by Mr. Larson the Trustees deferred consideration for working out the adjacent owner's objection, if possible.

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MONROE COUNTY - File No. 983-44-253.12. On August 22 the Trustees considered offer of the established price of \$300 per acre from Max Tendrich, as Trustee, the abutting upland owner, for purchase of two parcels of submerged land in the Straits of Florida in Section 4, Township 63 South, Range 38 East, Plantation Key, comprising 3.52 acres more or less, in Monroe County. The land was advertised for objections only in the Key West Citizen, proof of publication was filed with the Trustees, and no protest to the proposed sale was received.

Upon motion duly adopted the Trustees confirmed sale to the applicant at the price offered.

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MONROE COUNTY - File No. 984-44-253.12. On August 22 the Trustees considered offer of the established price of \$425.00 per acre from Clifford E. Smiley and wife, abutting upland owners, for purchase of a parcel of submerged land in the Straits of Florida in Section 23, Township 63 South, Range 37 East, Windley Key, 1.12 acres, more or less in Monroe County. The land was advertised for objections only in the Coral Tribune, Key West, Florida, proof of publication was filed with the Trustees, and no protest to the proposed sale was received.

Upon motion duly adopted the Trustees confirmed sale to the applicant at the price offered.

MONROE COUNTY - File No. 989-44-253.12. On August 29 the Trustees considered offer of the established price of \$300.00 per acre from Mechanical Industries Southern Corporation, the abutting upland owner, for purchase of a parcel of submerged land in Blackwater Sound in Sections 11 and 14, Township 61 South, Range 39 East, Key Largo, containing 0.43 of an acre, more or less in Monroe County. The land was advertised for objections only in the Key West Citizen, proof of publication was filed with the Trustees, and no protest to the proposed sale was received.

Upon motion by Mr. Larson, duly adopted, the Trustees confirmed sale to the applicant at the price offered.

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PALM BEACH COUNTY - File No. 810-50-253.12. On August 22 the Trustees considered offer of the appraised price of \$1835.00 per acre from Mary Hampton Fullerton, the abutting upland owner, for purchase of a parcel of sovereign land lying in Section 6, Township 41 South, Range 43 East, Palm Beach County, containing 1.03 acres, more or less within the established bulkhead line. The land was advertised for objections only in the Palm Beach Post, proof of publication was filed with the Trustees, and no protest to the proposed sale was received. Central and Southern Florida Flood Control District waived objection.

Upon motion by Mr. Larson duly adopted, the Trustees confirmed sale to the applicant for the appraised price.

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#### APPLICATIONS FOR LAND

DADE COUNTY - File No. 1008-13-253.12. George D. Karnegis and wife, abutting upland owners, represented by Hendricks and Hendricks, applied to purchase a parcel of submerged land in Biscayne Bay in unsurveyed Section 13, Township 54 South, Range 41 East, 0.23 of an acre, in Dade County within the established bulkhead line in an area appraised at \$4350.00 per acre.

Motion was made by Mr. Larson, seconded and adopted, that the Trustees approve advertisement of the parcel for objections only.

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DUVAL COUNTY - File No. 1012-16-253.12. John N. Blow, et al, abutting upland owners represented by Lonnie Wurn, offered the appraised price of \$250.00 per acre for a parcel of submerged land in the St. Johns River in unsurveyed Section 34, Township 1 South, Range 27 East, 3.2 acres in Duval County within the established bulkhead line.

Upon motion by Mr. Conner duly adopted, the Trustees authorized advertisement for objections only.

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MONROE COUNTY - File No. 943-44-253.12. Edison S. Freeman, the abutting upland owner represented by G. A. Crawshaw, offered the established price of \$250.00 per acre for a parcel of submerged land in the Straits of Florida in Section 28, Township 60 South, Range 40 East, Key Largo, 5.17 acres in Monroe County.

Upon motion by Mr. Conner duly adopted, the Trustees authorized advertisement for objections only.

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MONROE COUNTY - File No. 1013-44-253.12. Reidar J. Knudsen and wife, abutting upland owners represented by G. A. Crawshaw, offered the established price of \$425.00 per acre for a parcel of submerged land in the Bay of Florida in Section 32, Township 63 South, Range 37 East, Upper Matecumbe Key, 1.04 acres in Monroe County, Florida,

Upon motion duly adopted, the Trustees authorized advertisement for objections only.

BREVARD COUNTY- File No. 1015-05-253.12." On November 29, 1960 the Trustees considered Resolution of the Brevard County Commission requesting dedication of three sovereignty islands, filled under mosquito control operations, in Sections 7 and 18, Township 30 South, Range 39 East, for public recreational purposes. The request was taken under advisement pending receipt of development plan. In April 1961 several county officials discussed the need for recreational areas and the request was referred to the Governor's Committee on Recreational Development.

The county plan for development was received and dedication approved by the Governor's Committee. The staff concurred and recommended that the proposed dedication be advertised for objections only since the islands were near private mainland, one about 200 feet from private upland. The county had tendered the \$50.00 processing fee to cover publication and mailing of notices and copies of the map to owners of riparian uplands in the zone.

The Attorney General expressed the general feeling of the Board that this was the approved way - that counties desiring public lands for recreation or other public uses should indicate their needs and present their proposed development plans, and Mr. Larson added that it should be known that local funds were available to carry out the plans. The Board directed that dedication should carry reversion provision.

Upon motion by Mr. Conner duly adopted, the Trustees approved the proposed dedication of the three sovereignty islands to Brevard County for public recreational use with development as planned by the county, subject to advertisement for objections only because of proximity to the mainland.

#### MISCELLANEOUS

GULF COUNTY - Florida Board of Forestry requested concurrence pursuant to Section 589.10 Florida Statutes and execution by Trustees of the deed for transfer of 0.98 of an acre in SW $\frac{1}{4}$  of Section 11, Township 7 South, Range 10 West, in White City in Gulf County to the State Road Department for sub-maintenance headquarters. On October 9, 1961 the Forestry Board approved transfer of the parcel no longer needed for housing forestry workers.

Without objection the Trustees concurred in the conveyance, subject to approval of the Governor.

LAKE COUNTY - Upon motion by Mr. Larson adopted without objection the Trustees authorized issuance of fill material permit for \$40.00 charge to Grady D. Edwards of Eustis, Florida, to dredge 800 cubic yards of sand from bottoms of Lake Eustis in Lake County riparian to his property to repair uplands damaged by last year's hurricane.

PALM BEACH COUNTY - File No. 1009-50-253.129. Howard S. Rawlings, represented by Brockway, Weber and Brockway, applied for a disclaimer under Section 253.129, Florida Statutes, to a parcel of land filled prior to June 11, 1957, in Boca Ratones Lagoon in Section 16, Township 47 South, Range 43 East, 0.258 acre in Palm Beach County. The Director recommended issuance of the disclaimer for \$10.00 charge.

Without objection the Trustees authorized issuance of the disclaimer to Mr. Rawlings as recommended.

TRUSTEES' FUNDS - Fair Buildings - Commissioner Doyle Conner presented the Martin County Fair Association's application for release of Trustees' matching funds in the amount of \$15,000.00 for construction of two exhibit buildings, plans for which were examined and application approved by the Agricultural and Livestock Fair Committee on September 1, 1961. W. O. Whittle, Executive Secretary of Florida Federation of Fairs made a brief report, stating that Martin County had previously received \$10,000 matching funds and the additional amount would allow completion of their fair building project.



Upon motion by Commissioner Conner, adopted without objection, the Trustees authorized release of \$15,000.00 to be matched by local funds for construction of buildings by Martin County Fair Association under the policy established by Resolution of the Trustees dated July 18, 1961.


TRUSTEES' OFFICE - The Director recommended authorization for purchase of 1000 reprints of Section 253 Florida Statutes which were available under bids obtained by the Statutory Revision Department of the Attorney General's Office at a total cost of approximately \$86.35. Dissemination of information regarding the bulkhead act and regulations pertaining to the Trustees' work was helpful to local authorities and individuals.

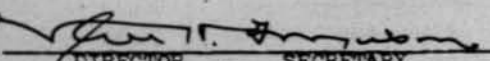
Without objection the Trustees approved purchase of the reprints and authorized payment therefor.

SUBJECTS UNDER CHAPTER 18296

Upon motion by Mr. Larson duly adopted the Trustees approved Report No. 794 listing three bids for sale of Murphy Act land.

Upon motion duly adopted the Trustees adjourned.

  
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ATTORNEY GENERAL - ACTING CHAIRMAN

ATTEST:   
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DIRECTOR - SECRETARY

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Tallahassee, Florida  
October 17, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

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Van H. Ferguson      Director-Secretary

Upon motion by Mr. Larson adopted without objection the Trustees approved the minutes of the meeting held on October 10, 1961.

APPLICATIONS FOR LAND

INDIAN RIVER COUNTY - File No. 1016-31-253.12. Coro Corporation, abutting upland owner represented by Thomas O. Berryhill, offered \$150.00 per acre for 44.17 acres, more or less, of land on the Indian River within a composite tract in Sections 21 and 28, Township 33 South, Range 40 East, within the established bulkhead line. The Board examined aerial photo and plat and the Director explained that the land lay outside the government meander but was similar in character to land inside (owned by applicants), with some deep water area clearly sovereign and other shallows, and that the United States had disclaimed interest

in the excess land area. The Director considered the unit offer fair for conveyance which would perfect title to the entire area between the U. S. meander and established bulkhead line and recommended advertisement for objections and sale under provisions of Section 253.12. Florida Statutes.

Motion by Mr. Larson, duly adopted, was that the land be advertised for objections only, based on applicant's offer.

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MARTIN COUNTY - File No. 1011-43-253.12. Frederick Fulford et al, abutting upland owners represented by Charles B. McAdam, offered the appraised price of \$350.00 per acre for a parcel of submerged land in the Indian River in Section 15, Township 37 South, Range 41 East within the established bulkhead line.

Upon motion by Mr. Larson duly adopted the land was ordered advertised for objections only based on the applicant's offer.

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PALM BEACH COUNTY - Bulkhead Line and Application. File No. 909-50-253.12.

Presented for formal approval was a bulkhead line for the Town of Palm Beach located "from the Alfred P. Sloan Estate North to the North corporate limits of the Town of Palm Beach as established by the United States War Department" March 13, 1926. Memorandum opinion of the Attorney General dated May 4, 1961 held that upon receipt of proper showing of the passage of an ordinance ratifying and approving said line and the acceptance and approval of the County Commission of Palm Beach County, it would be considered a lawfully established bulkhead line. By Ordinance No. 3-61 adopted on May 9, 1961, the Town of Palm Beach ratified, approved and confirmed the bulkhead line, and county approval was received.

Fay C. Lavan, abutting upland owner represented by Mack L. Ritchie, offered the appraised price \$1569.00 for purchase of 0.303 of an acre of submerged land in Lake Worth in Section 11, Township 44 South, Range 43 East, in the Town of Palm Beach, within said bulkhead line.

Upon motion by Mr. Larson duly adopted the Trustees formally approved the bulkhead line as adopted by the Town of Palm Beach and approved by the County; also, the Board authorized advertisement of the 0.303 acre parcel for objections only.

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PALM BEACH COUNTY - Ralph J. Blank, Jr., on behalf of Charles Labens as Trustee, offered the appraised value of \$35.00 per acre for that part of Section 31, Township 46 South, Range 39 East, northwest of Levee L-6, containing 41 acres, more or less, which applicant and his associates proposed to use as a site for a club lodge, hunting and fishing purposes, keeping the major portion in the natural state. Applicant agreed to reservation by Trustees of access right of way across the land between other lands of Trustees in Section 36, Township 46 South, Range 38 East and said levee, and for the public sale and conveyance to be made with provision limiting use to the purposes set forth above, with reversion of title in the event of conversion to other uses. The Director recommended advertisement for competitive bids with notice setting forth the use limitation and intended reservation of access easement.

The application was referred by the Trustees on April 18 to the Governor's Recreational Development Committee which, upon hearing Senator Blank present his proposal, indicated interest in the area being kept in the natural state and suggested lease; however the applicants felt that proper use and maintenance could best be accomplished by purchase with use provision. Trustees' Engineer William R. Kidd stated that with the use limitation imposed the price was fair and that through misunderstanding the application had been unduly delayed.

Attorney General Ervin recommended that the parcel be advertised for competitive bids without any use limitation, which recommendation was placed in the form of a motion by Mr. Larson and duly adopted by the Trustees.

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MISCELLANEOUS

ESCAMBIA COUNTY - The United States Bureau of Yards and Docks requested vacation of special provisions in Trustees Deed No. 22245 dated September 4, 1959 covering 2.1639 acres of submerged land in Pensacola Bay in Township 3 South, Range 30 West conveyed to the United States without charge other than advertising costs, the parcel being adjacent to a long shore owned by the U. S. and facilities of the Navy and required for berthing of large military vessels. The conveyance included condition that the land should be used only for federal or public purposes and could not be sold or leased into private ownership, with reversion clause.

Since the United States owned the abutting upland without restriction and the parcel was a necessary part of the Navy facilities at the Pensacola Naval Air Station and remote from private land, the Navy offered \$350.00 as fair market value as of September 4, 1959 for instrument clearing the restrictions.

Upon motion by Mr. Larson adopted without objections, the Trustees approved the request for the consideration offered.

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HIGHLANDS AND POLK COUNTIES - Upon motion by Mr. Larson adopted without objections, the Trustees authorized issuance of fill permits to the following applicants for removal from lake bottoms riparian to their properties material for improvement of applicants' uplands, the Game and Fresh Water Fish Commission having approved dredging in the lakes under permit provisions:

- (1) Lake Jackson, Highlands County. Application by Mrs. Eleanor J. Wallace for 4000 cubic yards to be deposited on upland property in Block 262 of Lake Sebring Subdivision; \$200.00 charge.
- (2) Lake Jackson, Highlands County. Application by Ernest L. Stegemolke for 500 cubic yards to be deposited on upland Lots 2 and 3, Lake Sebring; \$25.00 charge.
- (3) Lake Hamilton, Polk County. Application by Winter Haven Farm and Grove, by Guy A. McPherson, for 30,000 cubic yards to be deposited on upland in Sections 19 and 20, Township 28 South, Range 27 East; \$1200.00 charge.

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OKALOOSA COUNTY - Elbert R. Davis requested the Trustees to order removal of a dock constructed by or under direction of J. R. Oden, apparently connected to a boathouse or other facilities leased to Mr. Oden by Fort Walton Yacht Club, for which no state permit was obtained. Mr. Davis' complaint arose in large part from the fact that a large boat moored at the dock for considerable periods obstructed his view, polluted and rendered the water unfit for bathing and swimming at the beach in front of his home. The State Board of Health inspected the boat houses on September 1, apparently while the large boat was not at the dock, and found no pollution at that time and that the Yacht Club facilities at the shore included connection to the City of Fort Walton Beach sewage system.

The Director reported considerable difficulty getting information, that neither the Yacht Club nor Mr. Oden applied for a permit to cover the dock after the fact, that in view of the nature of the complaint a permit was not recommended, and that since state

10-17-61



permits were required it appeared in order for issuance of order to the Yacht Club and its lessee to remove the dock or that the Attorney General take legal action.

Upon motion by Mr. Larson adopted without objection, the Trustees authorized action taken to order removal of the dock, and in event the dock was not removed or its existence was not justified and state permit obtained, that the Attorney General be authorized to take appropriate legal action.

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PALM BEACH COUNTY - In consideration of the services of the station in the interest of the public welfare, the Director recommended that requirements of the usual processing fee for State Permit be waived for a new pier and mooring piles to be installed by U. S. Coast Guard, 7th District, at its Lake Worth Inlet Lifeboat Station on Peanut Island in Lake Worth.

Motion was made by Mr. Larson and adopted without objection that the usual processing fee for permit be waived for the Coast Guard installation.

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PALM BEACH COUNTY - The Director reported on an informal request made by Bruce Jones on behalf of owners of lands in Section 12, Township 46 South, Range 36 East and Section 8, Township 46 South, Range 37 East for canal easement along or near the south line of N $\frac{1}{2}$  of Trustees' Section 7, Township 46 South, Range 37 East, for drainage to North New River Canal. The plan was approved by Central and Southern Florida Flood Control District, and it was recommended that a drainage right of way to the District's standards, 130 feet each side of canal centerline, be set aside and authorized for easement to the proper parties upon establishment of the location by survey.

In answer to questions raised by Commissioner Conner regarding the proposed drainage plan, Engineer Kidd made further explanation and stated that the value of state land in the area would be enhanced.

Upon motion duly adopted the Trustees authorized setting aside the right of way and issuance of easement as recommended by the staff and approved by Central and Southern Florida Flood Control District.

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PINELLAS COUNTY - West Coast Title Company on behalf of Mrs. Laura Brown requested exchange of deeds to perfect title covering a fill in Clearwater Harbor "Indian Beach" in Section 6, Township 30 South, Range 15 East, which did not conform to the boundary of the 62.4 acres in Trustees' Contract and Deed No. 20288 purchased by Mrs. Brown in 1952. Applicant proposed to reconvey the 62.4 acres by original deed description in exchange for deed from the Trustees covering the 58.8 acres actually filled. The location of the filled area bounded by the established bulkhead line being practically the same as the parcel described in the deed, and the state acquiring approximately four acres of water area in the exchange, the staff recommended that the deed from Mrs. Brown, accompanied by title report evidencing title free and clear to the 62.4 acres, and payment of \$100.00, be accepted in exchange for quitclaim of the 58.8 acres actually filled.

Upon motion by Mr. Larson adopted without objection, the Trustees approved the exchange of deeds as recommended by the staff.

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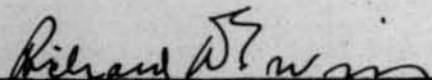
PINELLAS COUNTY - Upon motion by Mr. Conner adopted without objection, the Trustees authorized issuance of State Permit for \$100.00 processing fee to King Cole Motel for commercial type dock at applicant's property in Lots 13 and 14 Barbour-Morrow Subdivision fronting Clearwater Bay, permit having been issued by Pinellas County Water and Navigation Control Authority.

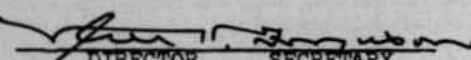
VOLUSIA COUNTY - Upon motion by Mr. Larson adopted without objection, the Trustees authorized issuance of State Permit for \$100.00 processing fee to Port Orange Enterprises, Inc., for concession or commercial purposes dock at applicant's property fronting Halifax River and Halifax River Bridge right of way at Port Orange.

SUBJECTS UNDER CHAPTER 18296

Upon motion duly adopted the Trustees approved Report No. 795 and authorized issuance of County of Santa Rosa Deed No. 267-Corrective to D. M. Morrison to correct the name of the grantee in original deed dated January 5, 1945.

Upon motion duly adopted the Trustees adjourned.

  
ATTORNEY GENERAL - ACTING CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
October 24, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

Van H. Ferguson                      Director-Secretary

Upon motion by Mr. Larson adopted without objection, the Trustees approved the minutes of the meeting on October 17, 1961.

LAND SALES

DADE COUNTY - The Trustees of the Internal Improvement Fund and the State Board of Education met in joint session for competitive sale of approximately 25,313 acres of land in Dade County (some never having been surveyed) owned by the two boards as follows:

Trustees Internal Improvement Fund, 20,833 acres, more or less:

Sections 1 through 14 inclusive, 17 through 20 inclusive, 24 through 36 inclusive in Township 56 South, Range 37 East; Section 6 and W $\frac{1}{2}$  of Section 5 in Township 59 South, Range 38 East.

State Board of Education, 4,480 acres, more or less:

Sections 15, 16, 21, 22 and 23 in Township 56 South, Range 37 East; Section 16 in Township 57 South, Range 37 East; Section 16 in Township 59 South, Range 38 East.

On September 19, 1961 the application for lease-purchase agreement by Aerojet-General Corporation was considered by each Board and advertisement for competitive bids at public auction was authorized for ten-year lease with option to purchase, the bids to be for annual rent payable in advance and price per acre for purchase in event of exercise of option. Successful bidder was required to pay to proper public agency during lease an annual sum equal to any ad valorem taxes which would be due if said lands and improvements were owned in fee simple by lessee-optionee; exercise of option to purchase would require payment of twenty per cent of purchase price for contract with balance in ten equal consecutive annual installments and with interest at five per cent on unpaid balance; conveyance would be subject to all applicable statutory rights and reservations then in effect and requirement that premises be used for operations of manufacturing plant and associated facilities and with ten year restriction against use of the land for speculation purposes without formal approval by each Board; lessee-optionee would be required to commence construction within twelve months on said land or lands contiguous thereto and owned by, leased to or controlled by lessee-optionee; highest bidder was required to remit payment not less than first year's rental within twenty-four hours after award was made; right to reject any and all bids was reserved.

All of the foregoing conditions were included in advertisement for sale to be held on this date which was published in the Homestead News, with proof of publication filed with the Trustees. Notice also stated that a purpose of the offering was to motivate establishment of facilities and production in the interest of the economy of Florida and the National Defense.

The Trustees discussed provisions carried in a lease prepared by the Attorney General's office upon which agreement had been reached and Elmer E. Nelson, representing Aerojet, stated that the firm, if successful bidder, was ready to execute the lease. The Director brought up a request from Central and Southern Florida Flood Control District for assurance that needed rights of way would be made available when requirements in the area had been determined. Trustees' Engineer Kidd reported on a meeting between representatives of the District and the applicant, that the firm agreed to donate necessary rights of way, and Mr. Nelson stated that this could be incorporated into the agreement. Attention was called to the fact that successful bidder was to pay the advertising costs of \$102.40.

In compliance with terms in the published notice and all lease provisions agreed upon, the applicant submitted bid of \$2.50 per acre annual rental for ten-year lease period and \$50.00 per acre purchase price to be paid in event option to purchase was exercised, and offered check in amount of \$63,282.50 as payment of rental for the first year. Upon call for competitive bidding no further bids were received, whereupon the Director recommended acceptance by the two Boards, as to their respective lands, of the bid submitted.

The Trustees of Internal Improvement Fund and the State Board of Education, in concurrent action, accepted the bid of Aerojet-General Corporation for ten-year lease with option to purchase the land advertised, approved all terms of the contract as agreed upon, and referred to the Attorney General all details of preparation of the instrument.

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MANATEE COUNTY - File No. 990-41-253.12. On September 5, 1961, the Trustees considered offer of the area appraised price of \$500.00 per acre from Albert F. Roth, abutting upland owner, for purchase of a parcel of submerged land in the Manatee River in



Section 30, Township 34 South, Range 18 East, containing 0.52 of an acre, more or less, landward of the established bulkhead line. The land was advertised for objections only in the Bradenton Herald, proof of publication was filed with the Trustees, and no protest to the sale was received.

Upon motion duly adopted the Trustees confirmed sale to the applicant at the price offered.

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MONROE COUNTY - File No. 995-44-253.12. On September 5, 1961, the Trustees considered offer of \$425.00 per acre, the established price, from Marie T. Bedwell, abutting upland owner, for purchase of a parcel of submerged land in Section 28, Township 63 South, Range 37 East, Upper Matecumbe Key, 0.14 of an acre, more or less. The land was advertised in the Key West Citizen, proof of publication filed with the Trustees, and no protest to the sale was received.

Upon motion duly adopted the Trustees confirmed sale to the applicant at the minimum price of \$100.00.

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MONROE COUNTY - File No. 996-44-253.12. On September 5, 1961, the Trustees considered offer of the established price of \$300.00 per acre from Eugene W. Sulzberger and Fred Bowen, Jr., the abutting upland owners, for purchase of a parcel of submerged land in the Bay of Florida in Section 7, Township 63 South, Range 38 East, Plantation Key, 0.94 of an acre, more or less. The land was advertised in the Coral Tribune, Key West, Florida, proof of publication filed with the Trustees, and no protest to the sale was received.

Upon motion duly adopted the Trustees confirmed sale to the applicants at the price offered.

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MONROE COUNTY - File No. 999-44-253.12. On September 12, 1961, the Trustees considered offer of the established price of \$425.00 per acre from Mrs. Pearl Skill, abutting upland owner, for purchase of 0.48 of an acre of submerged land in the Straits of Florida in Section 6, Township 64 South, Range 37 East, Upper Matecumbe Key. The land was advertised in the Key West Citizen, proof of publication filed with the Trustees, and no protest to the sale was received.

Upon motion duly adopted the Trustees confirmed sale to the applicant at the price offered.

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PALM BEACH COUNTY - File No. 843-50-253.12. On August 22, 1961, the Trustees considered application by Frank Meade, Jr., and wife, abutting upland owners, for purchase of a parcel of submerged land appraised at \$1285.00 per acre in Lake Worth in Section 10, Township 45 South, Range 43 East, Town of Hypoluxo, 1.4 acres, more or less, within the established bulkhead line. The land was advertised in the Palm Beach Post and proof of publication was filed with the Trustees.

Central and Southern Florida Flood Control District waived objection to the proposed sale. The Director recommended overruling the general objections to the sale, bulkhead lines, dredging, filling and reservation of minerals filed by Donald H. Edge.

Without objection, the Trustees approved the staff recommendation for overruling the objections, and confirmed sale of the advertised parcel to the applicants at the appraised price.

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PASCO COUNTY - File No. 997-51-253.12. On September 5, 1961, the Trustees considered application by F. J. Harrison, et al, abutting upland owners represented by Sam Y. Allgood, Jr., for purchase of a tract of submerged land in the Gulf of Mexico in Section 23, Township 26 South, Range 15 East, containing 8.7 acres, more or less, appraised at \$150.00 per acre lying landward of the

established bulkhead line. The land was advertised in the New Port Richey Press and proof of publication was filed with the Trustees.

Protest to the sale was received from Otto Crohn and from Lyle E. Severance on behalf of himself and Mrs. Alma Scarr. The Director reported that through oversight Mrs. Scarr was not sent the usual notice of sale when other riparian owners were notified, and deferment of the sale was recommended.

Without objection, the Trustees deferred consideration of application and objections until a later date.

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PINELLAS COUNTY - Pinellas County Water and Navigation Control Authority referred to the Trustees for consideration on this date one application by two separate owners, processed by the Authority as a single application for purchase, dredge and fill, with favorable county recommendation.

Lucille K. Cosseboom, riparian upland owner, applied for 2.32 acres of submerged Tampa Bay land of which applicant claimed to own 0.74 acres, in Section 11, Township 32 South, Range 16 East, landward of the established bulkhead line. Applicant's upland was between Canton Street and 31st Street South, and application included submerged land in front of Canton Street.

George W. Court and wife, riparian upland owners, applied for 12.11 acres of submerged Tampa Bay lands in Sections 11 and 14, Township 32 South, Range 16 East, between established bulkhead line and applicants' upland east of Canton Street, application including submerged land in front of possible extension of Canton Street.

The application, advertised by the county for hearing by Trustees on this date, was not received until October 23 but the applicants' attorney, Adrian S. Bacon, had conferred with the staff. No state appraisal was available and the appraised value of \$650.00 per acre submitted by applicant to save time was considered low. The staff recommended overruling an objection from Sam Breger questioning right to sell to the bulkhead line, also that consideration should be given to reservation of a strip of submerged land for extension of Canton Street. Mr. Bacon advised that the tentative plan had been approved by the local planning board, that if the city wanted the thirty-foot street extended across the Cosseboom application area his clients would agree to a provision in the deed, that there was no street dedication on the Court property. He related how his clients had worked several years on improvement plans for the area, worked out agreements with waterfront owners including plans for dredging a navigation channel for owners to the east, and he urged acceptance of \$650.00 as a fair price for the land.

Attorney General Ervin recommended that the Trustees follow the usual procedure as to appraisal for the state, and that some access to the waterfront should be provided.

Upon motion by Mr. Larson duly adopted, the Trustees deferred the matter for the Director to secure an appraisal of the land, and indicated the Board's intention to deal with the applicants subject to an agreement on price.

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PINELLAS COUNTY - File No. 1025-52-253.12. Douglas D. Roach, abutting upland owner, offered \$285.00 per acre for purchase of two parcels of submerged land in St. Joseph Sound adjacent to Lots 1 and 2, Block 3, Futrells Subdivision, in Section 11, Township 28 South, Range 15 East, comprising a total of 0.49 acre, more or less. Pinellas County Water and Navigation Control Authority advertised, held public hearing, recommended the sale subject to approval of the Trustees, and set October 24 as the date for consideration by Trustees. However since appraisal was not available, the Director recommended deferment of the sale.

Without objection the Trustees deferred the application for further consideration.

## APPLICATIONS FOR LAND

BROWARD COUNTY - Frank A. Gazze, owner of all property abutting a strip of land 18.52 feet in width and 450 feet long, heretofore reserved from sale in Section 25, Township 50 South, Range 42 East, applied to purchase the strip which divided his lots at Seabreeze Estates South Addition at Hollywood. The original Seabreeze Subdivision existed east of New River Sound along the Atlantic Ocean but was torn out by storms or other natural causes. New River Sound filled naturally with a corresponding area, and a narrow portion of the original subdivision survived to which the new area was attached. The original subdivision included a walkway approximately 20 feet wide and the strip sought by Mr. Gazze was an extension of the remnant public walkway but was not formally dedicated. City of Hollywood by Ordinance No. 2023 passed October 3rd vacated the original platted walkway, thereby discontinuing any use of the platted remnant as a public way, and it served no public purpose. The minutes of September 18, 1951 showed the area in which the strip existed was advertised for objections only and sale confirmed for various applicants seeking lots in the new area corresponding to those in the destroyed area.

Upon motion by Mr. Larson duly adopted, the Trustees authorized quitclaim to the adjacent owner, Mr. Gazze, for minimum charge of \$100.00.

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BREVARD COUNTY - File No. 1023-05-253.12. Carl E. Jackson and wife, abutting upland owners represented by East Coast Realty, Inc., offered \$100.00 minimum charge for a parcel of submerged land in the Indian River in Section 22, Township 22 South, Range 35 East, containing 0.13 of an acre within the established bulkhead line.

Upon motion duly adopted, the Trustees authorized advertisement of the parcel for objections only.

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MONROE COUNTY - File No. 1017-44-253.12. Philip Holland and wife, abutting upland owners represented by G. A. Crawshaw, offered the established price of \$425.00 per acre for a parcel of submerged land in the Straits of Florida in Section 6, Township 64 South, Range 37 East, Upper Matecumbe Key, containing 0.55 of an acre.

Upon motion duly adopted, the Trustees authorized advertisement of the parcel for objections only.

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MONROE COUNTY - File No. 1018-44-253.12. Nancy R. Casabona, abutting upland owner represented by G. A. Crawshaw, offered the established price of \$250.00 per acre for a parcel of submerged land in the Straits of Florida in Sections 28 and 29, Township 60 South, Range 40 East, Key Largo, 0.93 of an acre.

Upon motion duly adopted, the Trustees authorized advertisement of the parcel for objections only.

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MONROE COUNTY - File No. 1019-44-253.12. Theodore G. Smallwood, Sr., abutting upland owner represented by G. A. Crawshaw, offered the established price of \$350.00 per acre for a parcel of submerged land in Rock Harbor in Section 5, Township 62 South, Range 39 East, Key Largo, containing 0.50 of an acre.

Upon motion by Mr. Larson duly adopted, the Trustees authorized advertisement of the parcel for objections only.

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PALM BEACH COUNTY - File No. 1006-50-253.12. Brockway, Weber and Brockway on behalf of Julian D. Lehman, et al, applied for (a) disclaimer under Sections 253.129 Florida Statutes 1957 to an area in Lake Worth in Section 23, Township 44 South, Range 43 East, containing 0.491 of an acre filled prior to enactment of



the bulkhead act and (b) deed to those submerged lands in Lake Worth in said Section 23 lying adjacent to the parcel in "a" containing 1.418 acres within the established bulkhead line of the Town of Palm Beach, appraised at \$5518.60 per acre.

Upon motion by Mr. Larson adopted without objection, the Trustees approved issuance of disclaimer for \$10.00 charge and authorized advertisement of the 1.418 acre parcel for objections only based on offer of the appraised price.

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PALM BEACH COUNTY - File No. 1014-50-253.12. Joe W. Mimms and wife, abutting upland owners represented by Brockway, Weber and Brockway, offered the appraised price of \$1285.00 per acre for a parcel of submerged land in Lake Worth in Section 10, Township 45 South, Range 43 East, Town of Hypoluxo, within the established bulkhead line, 1.969 acres.

Upon motion duly adopted the Trustees authorized the parcel advertised for objections only.

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LEE COUNTY - Public Lands. F. M. Hendry, represented by John A. Jones, applied for conveyance of Govt. Lot 5 in Section 18, Township 46 South, Range 23 East, on Sanibel Island, containing 40 acres according to official U. S. Survey made in 1875. No offer was made for the land, which was appraised at \$275.00 per acre in 1960.

Prior to issuance of patent from the United States the land was assessed and sold for 1925 and 1932 taxes while exempt, was certified under the Murphy Act and under Murphy Act procedures the applicant purchased the land March 3, 1941. On September 24, 1959, the state applied to the U. S. for patent under the Act of Congress approved September 28, 1850, the land being classified as swamp and overflowed; patent was duly issued to the state and received April 25, 1960. Selection and application for patent was made at the request of applicant in effort to cooperate with him, and appraisal and other expenses were incurred by the state prior to issuance of the patent. In other instances sale at appraised value was made without advertisement or competitive bids under provisions of Section 270.09 where purchaser had an established equity.

Applicant sought to have his claim recognized as paramount to the state's record title by patent, citing a decision rendered elsewhere by a District Court of Appeals subsequent to issuance of the patent. Mr. Jones reviewed facts about the piece of land, claimed that U. S. Patent was issued only to validate Mr. Hendry's title, and offered a token payment of \$50.00. He said that his client might be willing to pay for expenses incurred by the state.

The Attorney General suggested a reasonable compromise offer should be made, pointing out that although in the Lobean case the court protected the private individual, the rule might not always apply if, for example, the lands were of the character that should be preserved in the public interest - that whether there might be exceptions was a question yet to be settled. Mr. Larson said that the state should not be put in position of recognizing a claim to land to which the state had U. S. patent and that appraisal and state expenses should be examined. Governor Bryant pointed out that applicant asked for more than estoppel, and questioned certain conclusions in the applicant's presentation.

Motion was made by Mr. Larson, seconded and adopted, that the Board try to accommodate the applicant if a realistic settlement could be negotiated, and the Attorney General and State Treasurer were appointed as a committee for that purpose.

ST LUCIE COUNTY - W. B. Tilton on behalf of Tarpon Bay, Inc., applied for quitclaim deed covering an accretion of 7.45 acres above mean high water attached to the southerly tip of Government Lot 2 of Section 22, Township 37 South, Range 40 East, which was the property of the applicant. Govt. Lot 2 as originally surveyed by the United States was a narrow arm of land projecting southerly between two natural water-courses; registered land surveyor had reported that the extension of that peninsula was by natural, gradual and imperceptible accretion in no wise caused by dredging carried on by Central and Southern Florida Flood Control District; no evidence was found of any appreciable changes of shore lines in the zone by avulsion or artificial works, the position and shape of the accretion indicating natural deposit which, being an extension on applicant's upland was not situated within the zone riparian to other land.

Upon motion by Comptroller Green duly adopted, the Trustees authorized issuance of quitclaim deed to the applicant for \$25.00 handling charge.

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MISCELLANEOUS

STATE MINERAL LEASE - Lamar Johnson, holder of State Mineral Lease No. 1015 dated October 4, 1955, covering Lake Okeechobee submerged and reclaimed lands, notified the Land Office to terminate the lease and surety bond and requested refund of \$725.00 paid in rentals and minimum royalties. Mr. Johnson reported payment of \$600.00 in bond premiums as well as other expenses incident to his explorations and participation in litigation involving his lease and that of Charlotte Properties, Inc., holder of a similar lease. Trustees on December 27, 1960 authorized refund of rentals and royalties only to the latter firm. A moratorium on rentals and royalties was granted by the Trustees February 25, 1958 pending conclusion of litigation between the Trustees and Coastal Petroleum Company which held oil, gas and sulphur lease granted in 1941 which included areas leased to Mr. Johnson and Charlotte Properties, Inc. for minerals. The District Court of Appeals discharged a Writ of Certiorari November 30, 1960 adjudicating the Coastal lease as embracing the minerals which were included in the Johnson and Charlotte Properties leases.

Without objection, the Trustees authorized refund to Mr. Johnson of \$725.00 paid by him as rental and royalties, and directed that the bond be released upon receipt of formal surrender of the lease.

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CLAY COUNTY - The Director recommended issuance to the State Road Department of temporary dredging easement (SRD No. 13) covering submerged land fills, sand bars, islands and other lands in the St. Johns River lying northeast of Section 47, Township 6 South, Range 27 East, 17.22 acres, more or less, for construction of state road No. 16.

Also recommended was execution of perpetual dedication instrument to the State Road Department which was approved by the Trustees on September 1, 1959 (SRD No. 2) and held in abeyance pending acquisition of upland right of way by the State Road Department.

Without objection the Trustees approved issuance and execution of temporary dredging easement and the perpetual dedication requested by the State Road Department.

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DADE COUNTY - Federal Aviation Agency requested permit to install an Instrument Landing System to serve Miami International Airport, the installation to include platform on piling with small dock approximately 500 feet north of east end of Biscayne Island (north of Venetian Causeway) to be lighted as required by U. S. Coast Guard, with marine power cables buried three feet deep.

Upon motion duly adopted the Trustees authorized permit for \$1.00 for the installation to serve the airport, subject to approval of the local governing body.

GLADES AND OKEECHOBEE COUNTIES - Central and Southern Florida Flood Control District requested perpetual easements for rights of way and permanent spoil areas over both sovereign bottoms and reclaimed lake bottoms in Lake Okeechobee and the Kissimmee River in Township 38 South, Ranges 34 and 35 East. Several of the parcels were under easement to the United States, but the easements requested by the District would carry the right to take spoil material and also give the District the right of assignment to other public agencies under license or permit and the right to construct roads, parks and recreational areas thereon as deemed proper for public use.

Without objection, the Trustees approved issuance of easements as requested by Central and Southern Florida Flood Control District.

HILLSBOROUGH COUNTY - File No. 672-29-253.124. Without objection the Trustees formally approved fill permit issued by the Board of County Commissioners of Hillsborough County to the Tampa Electric Company to fill the area in Sections 9 and 10 of Township 31 South, Range 19 East containing 268.46 acres within the established bulkhead line which was previously conveyed by the Trustees.

PINELLAS COUNTY - File No. 765-52-253.124. Without objection the Trustees formally approved fill permit No. DF170 issued by Pinellas County Water and Navigation Control Authority to Edwin Thomas and wife to fill a parcel of submerged land in The Narrows in Section 30, Township 30 South, Range 15 East, 1.85 acres formerly conveyed by the Trustees.

SARASOTA COUNTY - The Board of County Commissioners requested attendance by the Trustees at a public hearing at 9:30 A. M. on November 1, 1961 for discussion concerning waterways, spoil areas, islands and related matters. The County Board advised that invitation was also being extended to the State Board of Conservation, U. S. Fish and Wildlife Service, West Coast Inland Navigation District and the U. S. Army Corps of Engineers.

The Trustees directed that Engineer William R. Kidd and the Attorney General or his representative look into the matter and attend if their presence at the hearing would be helpful.

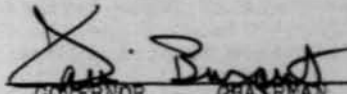
CAPITOL CENTER - On August 1, 1961 the State Office Building Expediter was authorized to advertise and sell the Vivian Tully duplex building at 216-218 West Madison Street. Bids were taken August 16 with Rev. D. Kilpatrick the high bidder offering \$481.00, which was paid and \$100 cash bond posted to guarantee clearing of the lot. Because of illness the high bidder requested an extension of time beyond the usual 90 days for removal of the building.

Without objection the Trustees confirmed sale of the building to the high bidder and directed that he be allowed until March 15, 1962 to remove the building and clear the lot, without penalty.

#### SUBJECTS UNDER CHAPTER 18296

Upon motion duly adopted the Trustees approved Report No. 796 and authorized issuance of County of Franklin Deed No. 433-Corrective to Leonard O. Huckeba to correct description in original deed dated August 15, 1960 to the same grantee.

Upon motion duly adopted the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
October 31, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

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Van H. Ferguson	Director-Secretary
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**PALM BEACH COUNTY** - The Trustees of Internal Improvement Fund and the State Board of Education met in joint session for competitive sale of agricultural lease of 5765.27 acres, more or less, in Palm Beach County owned by the two boards, as follows:

Trustees of Internal Improvement Fund land:

All of Sections 1, 12, 13, Township 45 South, Range 37 East, and Section 18 of Township 45 South, Range 38 East, comprising 2562.91 acres, more or less;

State Board of Education land:

All of Sections 6, 7, 8, 16 and 17 of Township 45 South, Range 38 East, 3202.36 acres, more or less.

On September 12 the two Boards authorized advertisement for competitive bids for lease upon application of Pelican Bay Co-Op for ten-year agricultural lease. The Co-Op offered average annual rental of \$6.00 per acre per year which was 6% of the appraised value, or \$2 per acre for first two years, \$4 per acre for third and fourth years, \$6 per acre for fifth and sixth years, \$8 per acre for seventh and eighth years, \$10 per acre for ninth and tenth years, with assurance of permanent improvement of the lands. Notice was duly published in the Belle Glade Herald and proof of publication was filed with the Trustees.

Prospectus with map, bidding form and summary of lease provisions was distributed to all parties evidencing interest and attention was directed to the fact that the Trustees had a comprehensive plan for drainage and water control for the nine sections as a composite tract.

Written bid submitted from Gladeview Sugarland, Inc., P. L. LaChance of Belle Glade, Comptroller, offered the same rental for the two-year periods as stated above with the exception of the ninth and tenth years, for which offer of \$12.50 per year was made. No other bids were received and the Director recommended acceptance of the high bid of Gladeview Sugarland, Inc., with requirements as listed in the advertised notice.

Mr. LaChance stated that the firm's development called for \$500,000 expenditure over the lease period which would greatly increase valuation of the undeveloped state land and that as lessee his group would pay all drainage taxes, whatever they might be.

The Comptroller and the Attorney General expressed some concern about the price offered, the fact that the property was not on the tax rolls, and discussed a problem encountered previously with reference to permanent and removable improvements on leased land. It was made clear to the bidders that it would not be a renewable lease, that after ten years the land would be offered for open competitive bids for sale or lease, that the contract drawn by the Attorney General's office should specify what con-

stituted permanent improvements and removables, and that the Board would not consider favorably requests for modifications, reductions and changes.

Subject to a thorough understanding of all contract provisions, Commissioner Conner recommended the lease for the reason that the land would be put in condition to be productive and would bring more in competitive bidding in the future. Mr. Kidd advised that from an engineering standpoint the removal of lessee's pumps should not cause any difficulty.

Mr. Bailey stated that with reasonable assurance that the bidders were reputable and financially able to make the land productive, and with the safeguards as expressed by the Attorney General, he felt that in ten years the tract would be very valuable land for the state.

Upon motion by Mr. Bailey, for the State Board of Education, and motion by Mr. Conner for the Trustees, adopted concurrently by the two boards, the high bid for ten year lease made by Gladeview Sugarland, Inc., was accepted, check in the sum of \$5760.00 was received to be applied on the first annual rental, balance to be remitted upon execution of lease, and preparation of the instrument was referred to the Attorney General.

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DADE COUNTY - The City of Islandia by Resolution No. 22 adopted October 25, 1961, requested grant of 109 acres of sovereignty, tidal and submerged land between Totten and Old Rhodes Keys within the established bulkhead line for public recreational and other municipal purposes. Staff recommended dedication for public purposes under supervision and management of the city with provision for revocation of the dedication at option of the Trustees for three consecutive years non-use, with requirement of annual report concerning its development, operation and use by the public, subject to written waiver of objection from the owners of Totten and Old Rhodes Key areas nearest to the proposed development. In the event the municipality should issue bonds to finance the development and fee simple title for the limited use was necessary to finance the recreational facilities, then conveyance for the specified purpose was recommended, and in event concession was to be granted to a private enterprise to finance the development a thirty year limit on leasing for such purpose was suggested.

City Commissioner Bruce Vining explained that the area applied for was within a closed bulkhead line with no upland ownership and was very desirable as site for public purposes and ideal for a large marina, that the city had no funds for immediate construction but it was a beginning on its development planning requested by the Trustees several months ago.

The Attorney General stated that an expression from Dade County should be received and considered, as the project would require a tie-in with county and state roads, that Islandia served a good purpose by bringing its plans forward and that the county should advise the Trustees as to its planning in the interest of the public for development of beaches and recreation areas. The Governor commented that the proposed dedication looked like an excellent public use, that the county should be asked to approve or present alternative plans, in the absence of which the Trustees might go ahead independently. As to the three year non-use provision, the Governor suggested that the Trustees would not have to exercise the option if it was not considered wise.

Motion was made by Attorney General Ervin, seconded and adopted, that the Board approve the recommendations of the staff for dedication contingent upon county approval being given within thirty days, and that in case the county failed to act the City of Islandia could request reconsideration by the Trustees.

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APPLICATIONS FOR LAND

DADE COUNTY - The following eight applications from riparian upland owners to purchase submerged lands within the established bulkhead lines in Islandia were presented for instruction as to whether the lands should be advertised for objections and appraisals secured for those unappraised.

- (a) File No. 369-13-253.12. William C. Martin on behalf of Eldridge Down III applied for submerged land in Biscayne Bay at Rubicon Keys, Government Lot 4 Section 16, Township 58 South, Range 41 East, the survey plats being subject to revision to conform to amended bulkhead lines. The parcel had not been appraised.
- (b) File No. 441-13-253.12. William C. Martin on behalf of R. L. Round applied for submerged land in the Atlantic Ocean at the northerly end of Old Rhodes Key at Government Lot 1 of Section 22, Township 58 South, Range 41 East, the survey plats being subject to revision to conform to amended bulkhead lines. The parcel was not appraised.
- (c) File No. 679-13-253.12. Richard B. Swanson, represented by G. A. Crawshaw, applied for two parcels of submerged land, parcel (1) containing 29.5 acres in Old Rhodes Channel appraised at \$165.00 per acre and parcel (2) containing 36.7 acres in the Atlantic Ocean at Swan Key in Section 33, Township 58 South, Range 41 East, appraised at \$235.00 per acre.
- (d) File No. 775-13-253.12. J. Gwynn Parker on behalf of Ralph B. Rhyder, James L. Anderson and Judson Sayre, applied for three parcels of submerged land in the Atlantic Ocean at Elliott Key in Section 36, Township 57 South, Range 41 East, containing a total of 23.7 acres appraised at \$380.00 per acre, and three parcels in Biscayne Bay in Sections 35 and 36 of Township 57 South, Range 41 East appraised at \$300.00 per acre.
- (e) File No. 957-13-253.12. Raymond A. Pollizzi for The Pollizzi Trust applied for a parcel of submerged land in Broad Creek at Gold Key in Section 33, Township 58 South, Range 41 East, containing 27.81 acres immediately south of the area in File No. 679-13 appraised at \$235.00 per acre.
- (f) File No. 1020-13-253.12. Helms Construction Company, represented by G. A. Crawshaw, applied for a parcel of submerged land in Biscayne Bay at Reid Key in Sections 15 and 16, Township 58 South, Range 41 East, containing 24.5 acres, not yet appraised.
- (g) File No. 1020-13-253.12. H. F. Schuessler, represented by G. A. Crawshaw, applied for a parcel of submerged land in Biscayne Bay at Little Totten Key in Section 29, Township 58 South, Range 41 East, containing 42.52 acres, not yet appraised.
- (h) File No. 1022-13-253.12. Harry Kendel et al, represented by G. A. Crawshaw, applied for a parcel of submerged land in Biscayne Bay at Little Totten Key in Sections 28 and 29, Township 58 South, Range 41 East, containing 66.39 acres, not yet appraised.

The Governor expressed the general feeling of the members that the applicants should not be held up indefinitely; that the Board, recognizing the interest of local officials and looking for an affirmative approach to the problem, had asked for a county plan for development and failing presentation of such a plan consistent with rights of the city and private owners, then the Trustees would have to proceed independently.



Attorney General Ervin explained that some time ago the Board acceded to Dade County's request for withdrawal of lands from sale but that no master plan for public areas was forthcoming and the riparian owners were not able to process their applications to develop their frontage under the Bulkhead Act, and with the formation of the municipality of Islandia two governmental units were involved. He said that Dade County should present its projected plan for causeway and lands for public uses. The Director advised that the county was furnished copy by certified mail of each notice when it was published, but as it appeared that the county had not taken notice of some of these advertisements Mr. Ervin asked that the county and City of Islandia be specifically notified by letter for each proposed sale.

Upon motion duly adopted the Trustees authorized advertisement for objections only of the parcels in the eight applications and directed that appraisals be secured where needed.

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PINELLAS COUNTY - File No. 1031-52-253.12. On October 24 the Trustees deferred action on application for purchase and fill permit, recommended by Pinellas County Water and Navigation Control Authority, on applications by Adrian S. Bacon on behalf of (1) Lucille K. Cosseboom for 2.32 acres, more or less, of submerged Tampa Bay land in Section 11, Township 32 South, Range 16 East within the established bulkhead line, and (2) George W. Court and wife for 12.11 acres of submerged Tampa Bay lands in Sections 11 and 14, Township 32 South, Range 16 East. Question was raised concerning whether strip should be reserved from sale for possible extension of Canton Street, and the Board accepted the statement that applicants would be required to comply with the City of St. Petersburg Planning Department's decision as to reservation or dedication of land for street extension when the plat was approved. Applicants submitted appraisal of \$650.00 per acre, however it was the consensus of the Board that the appraisal of \$1000.00 per acre made by Trustees' appraiser should stand.

The staff recommended overruling an objection from an inland owner which was reviewed on October 24th.

Upon motion by Mr. Ervin seconded by Mr. Conner and duly adopted, the Trustees overruled the objection, confirmed sale of the parcels applied for by Lucille K. Cosseboom and George W. Court and wife subject to payment of \$1000.00 per acre, and formally approved the fill permit recommended by Pinellas County Water and Navigation Control Authority.

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#### MISCELLANEOUS

BAY COUNTY - Upon motion by Mr. Conner adopted without objection, the Trustees authorized issuance of State Permit to Coastal Terminal of Panama City, Florida, for construction and maintenance of an industrial dock and mooring dolphins at applicant's property in Section 25, Township 4 South, Range 14 West, fronting St. Andrews Bay (Long Point), for which approval of the Board of County Commissioners of Bay County and \$100.00 processing fee were filed.

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COLLIER COUNTY - Florida Game and Fresh Water Fish Commission by Resolution closed the Corkscrew Swamp Sanctuary of National Audubon Society as a wildlife refuge and proposed to close the  $\frac{1}{2}$  of Section 27, Township 47 South, Range 27 East which was Trustees' land enclosed by the Audubon Society's fence. The land, one-half mile west of State Road 846 about seven miles from the entrance of the Audubon sanctuary, was probably fenced when the  $\frac{1}{2}$  of Section 27 was leased by Collier interests to the Audubon Society prior to acquisition by Trustees. Closing of state-owned land was questioned and the Director asked for instruction.

The action of the Trustees was to refer the matter to the Governor's Committee on Recreational Development for recommendation.

DADE COUNTY - File No. 938-13-253.12. Reported for the minutes was reduction of area to be conveyed to Card Sound Corporation. On August 22 the Trustees confirmed sale of submerged land in Biscayne Bay in Section 2, Township 56 South, Range 40 East, 11.28 acres, however corrected plats and descriptions of the area to be conveyed reduced it to 8.448 acres within the area advertised.

The Trustees directed that the correct area sold be reported in the minutes.

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GLADES COUNTY - T. M. Beck requested five-year extension of his grazing lease No. 1077 expiring November 14, 1961, covering approximately 100 acres of reclaimed Lake Okeechobee bottom lands in the SE $\frac{1}{4}$  of Section 28, Township 40 South, Range 32 East.

Upon motion by Mr. Conner duly adopted, the Trustees approved issuance of five-year renewal or new five-year lease at \$1.00 per acre per year with 60-day cancellation clause, with review of the current lease by the Attorney General to determine whether new lease should be drawn.

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GLADES COUNTY - On August 8 the Trustees granted 90-day extension effective August 3 of grazing lease No. 817 to James E. Wiggins covering reclaimed Lake Okeechobee land between upland of U. S. Sugar Corporation and the levee right of way. The corporation had applied to purchase the land, and until details of the purchase (price and plans of Central and Southern Florida Flood Control District) were worked out Mr. Wiggins requested another extension and tendered the rental.

Without objection the Trustees granted another 90-day extension of Lease No. 817 effective November 2, 1961.

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MARTIN COUNTY - Upon motion duly adopted, the Trustees formally approved fill permit issued by the Board of County Commissioners of Martin County to William H. Hart for filling a parcel of submerged land within the established bulkhead line in Section 14, Township 37 South, Range 41 East which was conveyed by the Trustees under Deed No. 21172 dated March 23, 1956.

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PALM BEACH COUNTY - Upon motion duly adopted, the Trustees authorized issuance without charge of corrective easement to the United States to correct description in Trustees' instrument No. 22608 dated October 17, 1960 granting an additional right of way for the Intracoastal Waterway.

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PALM BEACH COUNTY - File No. 1026-50-253.129. Upon motion duly adopted, the Trustees authorized issuance of disclaimer for \$10.00 charge upon application by Brockway, Weber and Brockway on behalf of William F. Kennedy and wife for a parcel of land filled prior to June 11, 1957 in Boca Ratones Lagoon in Section 16, Township 47 South, Range 43 East, containing 0.258 of an acre.

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PALM BEACH COUNTY - File No. 1027-50-253.129. Upon motion duly adopted, the Trustees authorized issuance of disclaimer for \$10.00 charge upon application by Brockway, Weber and Brockway on behalf of Vincent H. Palisano et al for a parcel of land filled prior to June 11, 1957 in Boca Ratones Lagoon in Section 16, Township 47 South, Range 43 East, containing 1.081 acres.

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PINELLAS COUNTY - Upon motion duly adopted, the Trustees authorized issuance of State Permits for \$100.00 each to the following three holders of permits issued by Pinellas County Water and Navigation Control Authority:

- (a) Clearview Towers International Construction Company for commercial dock in Island Estates;

- (b) Howard Sweeney for commercial dock and boat slips at applicant's lots in Bayside Subdivision;
- (c) J. Colvin for commercial dock at applicant's lot in Bayside Subdivision No. 2 at Clearwater Beach.

POLK COUNTY - Upon motion duly adopted the Trustees authorized issuance of permit to Kathaleen C. Walsdorf to remove 450 cubic yards of fill material from bottoms of West Clinch Lake, Frostproof, Florida, to improve applicant's upland lots in Bayview Park Subdivision, subject to requirement of compliance with conditions recommended by the Game and Fresh Water Fish Commission.

TRUSTEES' FUNDS - The Trustees of the Internal Improvement Fund, acting jointly with the Board of Commissioners of State Institutions, authorized contract with the low bidder, Albritton-Williams, Inc., in the amount of \$5,710.00 to be paid from funds of the Trustees for construction of an emergency seat of government at the Executive Residence.

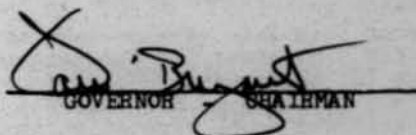
SUBJECTS UNDER CHAPTER 18296


Upon motion duly adopted the Trustees approved Report No. 797 listing three bids for sale of Murphy Act land and County of Broward Deed No. 2406-Corrective to Clyde Hipple to correct plat book and page numbers in original deed dated April 24, 1945 to the same grantee.

JEFFERSON COUNTY - Edgar D. Hiles offered \$150.00 for conveyance under provisions of Chapter 28317, Acts of 1953, of two parcels of land described as the NE $\frac{1}{4}$  of NW $\frac{1}{4}$  and the N $\frac{1}{2}$  of SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 4, Township 1 South, Range 3 East, 60 acres, covered by tax sale certificate Nos. 37 of 1928 and 37 of 1929, the application complying with Trustees' policy in sale of Murphy Act lands under the so-called Hardship Act.

Upon motion duly adopted the Trustees approved conveyance under Chapter 28317 to the applicant for the price offered.

Upon motion duly adopted the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
November 7, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Doyle Conner	Commissioner of Agriculture

Van H. Ferguson

Director-Secretary

Upon motion duly adopted the Trustees approved the minutes of the meeting of October 24, 1961.

#### LAND SALE

PINELLAS COUNTY - File Nos. 739 and 740-52-253.12. On October 4, 1960 the Trustees approved bulkhead lines fixed by the Pinellas County Water and Navigation Control Authority which recommended sale of 17.5 acres of submerged land in Clearwater Harbor to Nora Mae Peabody, et al, owner of adjacent uplands in Section 19, Township 29 South, Range 15 East, Sand Key. Also the Authority recommended sale to Ed C. Wright of 316.1 acres of submerged land in Clearwater Harbor between applicant's upland in Sections 17 and 20, Township 29 South, Range 15 East, Sand Key, and the said bulkhead line. The Trustees agreed to make sale of the areas sought subject to agreement on appraised price and subject to recommendations which might be made for reservations in the Wright parcel for public use, the Attorney General asking for assurance that an effort would be made to provide public beach and other public areas. On November 14, 1960 the County Authority issued dredge and fill permit to Mrs. Peabody (No. DF114 for 17.5 acres) and to Mr. Wright (No. DF115 for 316.1 acres).

Trustees' appraisal valued the land at \$1000.00 per acre based on analysis of value in filled state in relation to cost of filling, applicant's investment in the island, development costs and other considerations, and the Director recommended sale at that appraised price.

Considered on this date were revised applications by the Peabody interests for 3.67 acres (of the original 17.50 acre area) and 57.75 acres (of the original 316.1 acre area) for Mr. Wright, approximately 13 acres of Mr. Wright's land after purchase from Trustees proposed to be donated to the City of Clearwater for road and causeway right of way. Taking exception to the \$1000 valuation, applicants presented an appraisal made in August 1961. Offer of \$1000 was made for the 3.67 acres for Peabody, and \$19,000 was offered by Mr. Wright for the 57.75 acres, the Director pointing out that those offers were less than the applicants' own appraisal.

The staff recommendation was (1) that the Trustees offer to dedicate the right of way on the submerged lands for the road project with written consent of the riparian upland owners as provided for in Section 253.126 Florida Statutes, said right of way to be of adequate width for protection of roadbed and slopes in the harbor and with appropriate provisions guaranteeing riparian rights unimpaired to the bulkhead line, and (2) that, in the absence of agreement on a satisfactory sale price for the submerged land, action be deferred for rebuttal by Trustees' appraiser if desired and for consideration concerning public areas, with resale prices of unfilled submerged lands heretofore sold by Trustees being examined.

City of Clearwater representation, including Special Counsel H. H. Baskin, Jr., City Attorney Herbert M. Brown, City Commissioners Cleveland Insko, Herbert Fields and Amos G. Smith, brought out that the city causeway and Little Pass bridge project, which would be a great public benefit, was tied in with the sales, that the city had worked out arrangements to effectuate the project including seven contracts with Mr. Wright who would pay the cost of filling for the city and donate right of way, that other state lands in the area would increase in value. Comptroller Green spoke in favor of the bridge project as a public benefit and pointed out that there might be justification for adjustment of the appraised price.

Present on behalf of Mr. Wright were attorneys J. Lewis Hall and J. Lewis Hall, Jr. It was stated that the purchase applications were made for the purpose of implementing the bridge project, the approach for which would traverse a portion of his area, that applicant would dedicate the right of way and fill on either side to protect it, that his submerged land would be brought into the city, bringing in considerable taxes, that adequate provisions would be worked out for public areas, that the city had determined that 100 foot right of way was sufficient for the municipal type of road. To protect his client's riparian rights, Mr. Hall requested that the entire area be conveyed and in turn right of way would be conveyed to the city by appropriate instruments, and that action of the Trustees be conditioned upon completion of arrangements by the city since Mr. Wright would want to withdraw unless the city consummated its project.

There was discussion of the sale price, resulting in Mr. Wright accepting the price suggested by Mr. Larson of \$30,000 for the parcel, and agreeing to payment at the same rate for the land applied for by Mrs. Peabody.

Upon motion by Commissioner Conner, seconded by Mr. Larson, the Trustees approved sale of 57.75 acres, more or less, to Ed C. Wright for \$30,000.00, sale of 3.67 acres, more or less, to Nora Mae Peabody, et al, at the same unit price per acre, with sales conditioned on consummation of arrangements of the City of Clearwater as requested by the applicant; also, the Trustees formally approved dredge and fill permits limited, however, to the area of the land sold on this date.

Attention was directed to the fact that application for the Little Pass bridge right of way had not been completed, and the same being a necessary unit of the City project, authorization was given for dedication of the required right of way on sovereignty lands.

#### APPLICATIONS TO PURCHASE LAND

MONROE COUNTY - File No. 1028-44-253.12. Albert T. Learst et al, abutting upland owners represented by G. A. Crawshaw, offered the established price of \$300.00 per acre for a parcel of submerged land in the Straits of Florida in Section 23, Township 62 South, Range 38 East, Key Largo, containing 2.0 acres.

Upon motion duly adopted the Trustees authorized advertisement for objections only.

OKEECHOBEE COUNTY - File No. 956-47-253.36. Germano DePalma, the abutting upland owner represented by T. W. Conely, Jr., offered the appraised price of \$175.00 per acre for a parcel of reclaimed lake bottom land in Lake Okeechobee landward of the government levee in Section 34, Township 37 South, Range 35 East, containing 1.08 acres.

Without objection the Trustees approved sale to the applicant at the appraised price without advertisement, in accordance with the Trustees' policy for sale of land in this area.

OKEECHOBEE COUNTY - File No. 1030-47-253.36. J. R. Edwards, the abutting upland owner, offered \$125.00 per acre for a parcel of reclaimed lake bottom land in Lake Okeechobee in Section 17, Township 38 South, Range 35 East, lying between the seventeen-foot contour and the westerly right of way line of the U. S. levee, in the old Eagle Bay area.

The Director advised that this price was in line with previous conveyances and appeared a fair price. Mr. Green commented that cost of appraisal might exceed value of the parcel.

The Trustees approved the suggestion of Governor Bryant that George F. Meier, Right of Way Administrator of the State Road Department, who had volunteered his assistance, be consulted on possible improvement of policy or methods for appraisal of Trustees' lands.

Upon motion duly adopted, the Board approved sale to Mr. Edwards of the parcel of reclaimed lake bottom land at the price offered without advertisement, in accordance with Trustees' policy for sale of lands in this area.

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PALM BEACH COUNTY - File No. 993-50-253.36. Mrs. L. L. Stuckey, represented by Thad Whidden, offered the appraised price of \$2000.00 per acre for 0.19 acre parcel of reclaimed lake bottom land in Section 8, Township 42 South, Range 37 East, 0.19 of an acre in the Town of Pahokee, riparian to lands formerly purchased by L. L. Stuckey in 1928. Recently it was discovered that the parcel which was occupied with the Stuckey residence was not a part of the purchase. At the request of the State Road Department a seven-foot strip was reserved off the easterly side of the area for right of way for State Road No. 143.

The Trustees, recognizing the application as a case of hardship, approved sale to the applicant at the appraised price without advertisement.

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#### BULKHEAD LINES

BREVARD COUNTY - Presented to the Trustees for approval was the bulkhead line fixed by the City Commission of the City of Melbourne by Ordinance No. 61-22 adopted September 26, 1961. The bulkhead line was located in the Indian River from Indian River Causeway (State Road No. 516) south to the north line of Melbourne Harbor entrance channel.

Upon motion duly adopted the Trustees formally approved the bulkhead line as established by City of Melbourne Ordinance No. 61-22.

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PALM BEACH COUNTY - Presented to the Trustees for approval was the bulkhead line established by the Town Commission of the Town of Palm Beach Shores by Ordinance No. 52 adopted on September 25, 1961. The bulkhead line was for lands in place along the shores of Lake Worth lying east of the Intra-Coastal Waterway.

Upon motion duly adopted the Trustees formally approved the bulkhead line as established by Town of Palm Beach Shores Ordinance No. 52.

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PALM BEACH COUNTY - Presented for approval of the Board was the bulkhead line established by the Town Commission of the Town of Ocean Ridge by Ordinance No. 122 adopted on April 25, 1961. The bulkhead line was fixed for all sovereign tidal waters within the corporate limits of the municipality.



Upon motion duly adopted the Trustees formally approved the bulkhead line as established by Town of Ocean Ridge Ordinance No. 122.

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MISCELLANEOUS

BROWARD COUNTY - Upon motion duly adopted the Trustees authorized issuance of State Permit for \$100.00 processing fee to N. E. Duval for modification of docks at applicant's Harbor Beach Marina adjacent to Intracoastal Waterway at Parcel "A" Harbor Heights Subdivision.

DUVAL COUNTY - The Director recommended dedication of a parcel of submerged land in the St. Johns River abutting city-owned Southside Park in Section 44, Township 2 South, Range 26 East, applied for by the City of Jacksonville by Resolution dated October 30, 1961 for municipal park, recreation and other public purposes.

Without objection the Trustees approved dedication of the parcel to the City of Jacksonville for public purposes.

HIGHLANDS AND POLK COUNTIES - Upon motion duly adopted the Trustees approved issuance of permits to the following applicants for removal from lake bottoms riparian to their properties fill material for improvement of uplands subject to requirement of compliance with conditions recommended by the Game and Fresh Water Fish Commission:

- (1) Lake June-in-Winter in Highlands County near the Town of Lake Placid. Application by John D. Watson and Laura M. Watson for 500 cubic yards; \$25.00 charge;
- (2) Lake June-in-Winter in Highlands County. Application by Frances Causey for 500 cubic yards; \$25.00 charge;
- (3) Lake June-in-Winter in Highlands County. Application by Charles E. Dorris for 500 cubic yards; \$25.00 charge;
- (4) Lake Walk-in-the-Water in Polk County. Application by John A. Bailey of Lake Wales, represented by Guy A. McPherson, for an amount not to exceed 500 cubic yards; \$25.00 charge.

LEE COUNTY - Request was presented from the Board of County Commissioners of Lee County, applicant for right of way for the proposed Punta Rassa - Sanibel Island causeway and bridge project, for public hearing before the Trustees. The Director informed the Board that all required written consents of directly affected riparian owners had not been furnished by the County, that numerous objections had been filed and notices of the hearing should be issued immediately if hearing would be on the suggested date.

To facilitate presentation of views by interested parties Governor Bryant suggested that the hearing be held in Lee County and that the Trustees be represented by Assistant Attorney General Robert C. Parker, subject to approval of the Attorney General.

It was so ordered.

MARTIN, ST. LUCIE, INDIAN RIVER COUNTIES - Florida State Museum transmitted request of Heal Eight Salvage Company for six-year extension of its lease, expiring March 10, 1963, covering a submerged area one mile wide 500 feet offshore, the north limit being the easterly projection of the centerline of Sebastian Inlet and the south limit being the easterly projection of the northerly corporate limit of Stuart. The Museum urged that the extension be granted and cited the cooperation of the lessee in salvage operations.

Under the current lease the president of the firm was authorized and directed to discourage and prevent unauthorized salvage and molesting of abandoned sunken vessels in the leased area and to report unauthorized operations to the proper sheriffs and to the Trustees. Since the lease, except for two specified areas, was non-exclusive by its terms, other proposals for leasing had been made; however the staff pointed out that concurrent leasing of a single area would make regulation difficult.

Upon motion duly adopted, the Trustees authorized six-year extension of the lease from its expiration date; also, since the lessee had cooperated with the State Museum in the interest of proper preservation and recovery of items of value and historic interest, the Board directed that no concurrent leases of the area be considered.

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MONROE COUNTY - Without objection the Trustees granted to the City of Key West an easement one hundred feet wide for power line purposes across submerged bottoms of the Bay of Florida from the Island of Key West northerly approximately 1600 feet to a junction with Easement No. 22735-A previously granted.

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PALM BEACH COUNTY - Central and Southern Florida Flood Control District requested additional right of way for enlarging Hoover Levee LD-2, said right of way being a sixty-foot wide strip landward of and abutting the present levee right of way. Part of the area requested was across Trustees-owned reclaimed lake bottoms and the other part across privately owned land conveyed by Trustees under Chapter 7861 Laws of Florida, Acts of 1919, which retained unto the Trustees the right to enter upon the land and to construct levees. Louis Baldwin of the District explained the engineering work necessitating additional right of way which would allow for increased conservation of waters within Lake Okeechobee, and mentioned future work in connection with Levee LD-1.

Without objection the Trustees authorized issuance of easement granting the additional right of way for enlarging Hoover Levee LD-2 as requested by Central and Southern Florida Flood Control District.

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PALM BEACH COUNTY - The Staff recommended issuance of ex parte disclaimer based on the following information. According to field note records of the 1858 survey, the meanders of Lake Clarke in Section 16, Township 44 South, Range 43 East, were erroneously located and in 1926 a resurvey of said section was made by the U. S. Bureau of Land Management. The records show that Government Lot 3 and the NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of said Section 16 were conveyed to an individual by State Board of Education Deed No. 1969 dated May 1, 1886. The 1926 survey divided said NE $\frac{1}{4}$  of SW $\frac{1}{4}$  into Government Lot 5 and a 13.58 acre area classified as "drained bed of the lake" and in 1955 Ixora Gardens was platted and filed for record (Plat Book 24-146), being a part of Government Lot 5 and extending into the 13.58 acre area.

The Circuit Court, affirmed by the Appellate Court in 1958, held that the resurvey of 1926 established the correct meanders of Lake Clarke. Several title companies, reluctant to insure title to lots in Ixora Gardens lying lakeward of the 1926 meanders, made it known that title insurance would be in order upon recording of ex parte disclaimer from the Trustees.

Upon motion by Mr. Larson duly adopted, the Trustees authorized issuance of ex parte disclaimer covering that part of Ixora Gardens lying lakeward of the 1926 meander for handling charge of \$25.00, tendered by Edwin W. Lammi, attorney.

ST JOHNS COUNTY - On behalf of James Appell, holder of 15-year Lease No. 1215 dated November 1, 1958 covering Government Lot 1, Section 29, Township 5 South, Range 15 East, 58.18 acres, and 5-year Lease No. 1323 dated March 10, 1960 covering 118 acres of marsh in said Section, request was presented for (1) dedication or permit for right of way across Deep Creek and a 4-acre parcel in Section 22 Southwest of Deep Creek, (2) new long-term leases of 2 parcels, one being 10.8 acres quiclaimed by the U. S. to the Trustees September 22, 1961 between Government Lot 1 and the right of way of the Intracoastal Waterway and the other being 18.5 acres South of Deep Creek West of Spoil Easement held by the U. S., all in Section 22, and (3) reform of the two existing leases for long terms to enable applicant to finance extensive construction and improvements shown on his development plan. Attention was called to the lease rental of \$2 per acre per year on Government Lot 1 and \$2.50 per acre per year for the leased marsh, and the fact that the existing leases provided for no cancellation in the event of industrial or other need of the area.

Letter of State Game & Fresh Water Fish Commission reported inspection and recommended favorably, provided that the lessee should install bridge or 72-inch culvert for crossing Deep Creek, secure approval of sanitary facilities, allow public access with free use of a facility for boat launching and , in the event of development of campsites in the marsh, construct a barrier dike before filling and dredging.

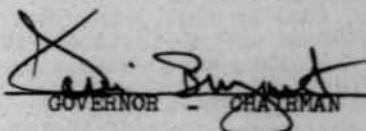
Upon motion duly adopted the request was granted for the right of way on the marsh parcel, 200 feet wide, 25 year lease of the 2 new areas and revision of the two existing leases to run concurrently with the new leases, subject to the provisions recommended by the Game and Fresh Water Fish Commission and with provision for cancellation by the Trustees on 6-months advance notice and payment to the lease holder of the then value of improvements made.

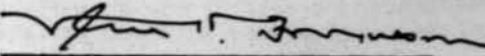
TRUSTEES FUNDS - On July 25, 1961 the Trustees authorized the Secretary of State to negotiate with Prentiss Huddleston, Architect, for preliminary plans for remodeling space in the basement of the Capitol Building and authorized payment up to \$1000.00 from Trustees' funds. On September 5 architect's estimate of \$45,350.00 for remodeling basement areas for use by the Department of Education, Secretary of State and the Governor's Office, plus architect's fee of 6%, was presented and action deferred for review of the plans by all members of the Board. On this date the architect advised that plans had been approved by the several offices.

Upon motion by Comptroller Green, adopted without objection, the Trustees approved the plans at estimated cost not to exceed \$55,000.00, including architect's fee.

EQUIPMENT - Upon motion by Mr. Green duly adopted the Trustees authorized purchase for use in the State Land Office of one legal-size four-drawer file cabinet at an approximate cost of \$111.00.

Upon motion duly adopted the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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11-7-61



Tallahassee, Florida  
November 14, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture
	Van H. Ferguson	Director-Secretary

Upon motion duly adopted the Trustees approved the minutes of the meetings held on October 31 and November 7, 1961, which had been approved by the Attorney General and copies presented to each member.

PALM BEACH COUNTY - Competitive Sale. On September 26, 1961 the Trustees authorized advertisement for competitive bids at public sale of 1280 acres, more or less, in Sections 7 and 17 of Township 46 South, Range 37 East, for which C. Shelby Dale, as Trustee and attorney for owners of adjacent lands, offered the appraised price of \$75.00 per acre. On October 17 authorization was given for drainage canal through Section 7, issuance of the easement being deferred until consummation of sale in order that easement grantee might be designated or the sale made for the entire area with easement reserved in accordance with the canal survey and approval of Central and Southern Florida Flood Control District. The land was advertised in the Belle Glade Herald and proof of publication of notice was filed with the Trustees.

The Director called the land out and explained that no access was guaranteed as private ownership existed between the highway and the land advertised. Competitive bidding resulted in high bids by the applicant of \$131.00 per acre for the land in Section 7 and \$121.00 per acre for the land in Section 17. The Director recommended that bidder be allowed to purchase subject to the right of way easement for canal or with the easement strip excepted from the sale.

Upon motion by Mr. Larson, seconded by Mr. Conner, the Trustees confirmed sale to the high bidder, C. Shelby Dale as Trustee, and agreed to allow purchaser to choose either alternative as to the right of way easement.

DADE COUNTY - File No. 614-13-253.12. On October 3, 1961, the Trustees considered offer of the appraised price of \$5100.00 per acre by Edward N. Claughton, Jr., for Lillian C. Claughton, the abutting upland owner, for purchase of a tract of submerged land in Biscayne Bay in Sections 6 and 7 of Township 54 South, Range 42 East, City of Miami, lying easterly of and abutting Burlingame Island within the established bulkhead line, containing 23.26 acres, more or less. The land was advertised in the Miami Daily News, proof of publication filed with the Trustees, and no protests to the sale were filed. Central and Southern Florida Flood Control District waived objection to the proposed sale.

Without objection the Trustees confirmed sale of the advertised tract to the applicant at the appraised price, \$5100.00 per acre.

MONROE COUNTY - File No. 1003-44-253.12. On September 26, 1961 the Trustees considered offer of the established price of \$300.00 per acre from Florence M. Miller, abutting upland owner, for purchase of a parcel of submerged land in Buttonwood Sound in Section 28, Township 61 South, Range 39 East, Key Largo, containing 0.54 of an acre, more or less. The land was advertised in the Key West Citizen, proof of publication filed with the Trustees, and no objections were filed.

Without objection the Trustees confirmed sale of the parcel to the applicant at the price offered.

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MONROE COUNTY - File No. 1004-44-253.12. On September 26, 1961 the Trustees considered offer of the established price of \$425.00 per acre from Dorothy A. Simon, abutting upland owner, for a parcel of submerged land in the Straits of Florida in Section 6, Township 64 South, Range 37 East, Upper Matecumbe Key, containing 0.93 of an acre, more or less. The land was advertised in the Key West Citizen, proof of publication filed with the Trustees, and no protest to the sale was filed.

Without objection the Trustees confirmed sale of the parcel to the applicant at the price offered.

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ESCAMBIA COUNTY - File No. 1000-17-253.12. On August 29 and October 3, 1961, the Trustees considered proposal by Santa Rosa County Beach Administration on behalf of Escambia County, the upland riparian owner, to purchase submerged land in Santa Rosa Sound abutting a portion of Santa Rosa Island, Escambia County, encompassing 8.15 acres, more or less, between the established bulkhead line and Santa Rosa Island upland administered by Santa Rosa Beach Administration. Applicant offered the appraised price of \$95.80 per acre.

State Board of Conservation report dated October 2, 1961, stated that dredging and filling would adversely affect seagrass and marine productivity. The Chairman of the Santa Rosa County Commissioners filed letter stating that adoption of the recommendations in the Conservation Department report would destroy the feasibility of the development in connection with which the county had already borrowed \$2,500.00. W. H. Baskerville on behalf of applicant, explained that the bulkhead line was set as an outer limit and the development was planned to stay within the shallow water areas. The island was a resort area under County ownership and the area of the Sound adjacent to Santa Rosa County was in excess of 22,000 acres. The Trustees' Staff felt that the development was needed and desirable for the economy of the area and recommended the sale.

Upon motion by Mr. Larson, seconded by Mr. Green, the Trustees approved sale of the 8.15 acres, more or less, to the Santa Rosa County Beach Administration on behalf of Escambia County at the appraised price for the land.

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#### APPLICATIONS TO PURCHASE LAND

MONROE COUNTY - File No. 1029-44-253.12. Mrs. Myrtle Williams, the abutting upland owner, offered the established price of \$300.00 per acre for a parcel of submerged land in Bogle Channel in Section 25, Township 66 South, Range 29 East, Big Pine Key, containing 1.09 acres.

Upon motion by Mr. Larson duly adopted, the Board authorized advertisement of the parcel for objections only.

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MONROE COUNTY - File No. 1032-44-253.12. Joseph Giovannelli, the abutting upland owner, made application for a 6-acre parcel of submerged land in the Bay of Florida in Section 20, Township 65 South, Range 34 East, Grassy Key. In 1955 the Trustees conveyed to the applicant a 2.2 acre parcel at the same location. Subsequently it

was found that the original survey was erroneous, part of the description deeded was in the right of way, and applicant proposed to reconvey in exchange for deed to the six acres and to pay the difference in price.

Upon motion by Mr. Green duly adopted, the Trustees agreed to accept reconveyance of the 2.2 acres and authorized advertisement for objections only of the parcel applied for, based on offer of payment for the difference at \$377.00 per acre, the established price.

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PALM BEACH COUNTY - File No. 994-50-253.12. Brockway, Weber and Brockway on behalf of Bloxham Land Co., et al, abutting upland owners, applied for (a) disclaimers under Section 253.129 Florida Statutes, to a composite tract of land filled prior to June 11, 1957, in Sections 11 and 14, Township 44 South, Range 43 East, containing a total of 11.244 acres, more or less, in the Town of Palm Beach; and (b) deeds to those submerged lands in Lake Worth in said Sections 11 and 14 lying easterly of and abutting tract in (a) outward to the established bulkhead line containing 13.561 acres, more or less, for which the total appraised price was \$61,481.00.

Upon motion duly adopted the Trustees approved issuance of disclaimers under Section 253.129 at \$10.00 charge for each, and authorized advertisement of the 13.561 acres for objections only.

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#### MISCELLANEOUS

BREVARD COUNTY - Upon motion duly adopted the Trustees authorized issuance of State Permit to Canaveral Pier, Inc., for the standard charge of \$100.00, for construction and maintenance of a commercial pier extending into the Atlantic Ocean at applicant's property in Block 113 Avon-by-the-Sea Subdivision in Section 25, Township 24 South, Range 37 East, county permit and written consent of the adjacent waterfront owners having been filed.

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COLLIER COUNTY - Naples Fishing Reef Committee requested extension of time for completion of artificial reef authorized August 23, 1960 for State Permit to Loyal Order of Moose, Naples Lodge 1782, for which extension was granted previously. The request disclosed that construction was dependent on donations of funds and availability of barges during favorable weather.

Without objection, the Trustees granted additional time to June 30, 1962, for completion of the artificial reef.

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COLLIER COUNTY - Without objection, the Trustees authorized issuance for processing fee of \$100.00 of State Permit to Beaumaris, Inc., for boat slips or marina in the Gordon River at applicant's upland in Naples, Collier County.

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DADE COUNTY - The Director recommended approval of assignment of Lease No. 1177 to Ships and Power, Inc., from Medwin Benjamin, present holder of the lease covering a commercial or industrial site of 1.39 acres in Miami with current rental of \$395.00 per month, and requirement of surety bond of \$5000.00. Ships and Power, Inc., occupants under the lease, rebuilt the old garage on the property into a two-story air conditioned office building and requested that Trustees recognize the permanent-type improvement and authorize reduction of the required bond. The Attorney General's office suggested requirement of bond equivalent to three months rental, which the firm offered to post as cash security deposit.

Upon motion duly adopted the Trustees approved the assignment subject to assignee filing executed or certified copy with acceptance of the lease terms modified only to allow bond of \$1185.00 in lieu of the bond amount originally stipulated.



HENDRY COUNTY - Without objection, the Trustees granted temporary easement to the State Road Department for dredging in three separate areas in Lake Okeechobee lakeward of the Hoover Dike for construction of State Road No. 80, the easement to be subject to any and all rights held by the United States Corps of Engineers.

HENDRY COUNTY - James W. Moore requested disclaimer of Section 34, Township 45 South, Range 29 East, based on the following information. On October 4, 1888, the Trustees issued Certificate No. 13816 to Pensacola and Atlantic Railroad as a commitment to grant the lands to the railroad by deed when patented to the state; the state never received patent and the United States patents issued to various individuals; on March 12, 1908 the Louisville and Nashville Railroad Company, successors to the other railroad, issued quitclaim to the State of Florida which was regarded as a cloud on the record owner's title. Since no title was acquired by the State under the quitclaim, issuance of ex parte disclaimer of any right, title or interest by or arising out of the quitclaim was recommended.

Upon motion duly adopted the Trustees authorized issuance of disclaimer for handling charge of \$10.00.

HIGHLANDS AND POLK COUNTIES - Without objection the Trustees authorized issuance of permits applied for by the following upland owners to remove from lake bottoms riparian to their properties stated amounts of fill material to repair and improve their uplands, the Game and Fresh Water Fish Commission having approved dredging in the lakes under permit provisions:

- (1) Lake June-in-Winter in Highlands County. Application by W. J. Hanke of Lake Placid, Florida, for 1500 cubic yards of material, \$75.00 charge.
- (2) Little Lake Jackson in Highlands County. Application by Charles L. Nye of Sebring, Florida, for 200 cubic yards of material, \$25.00 minimum charge.
- (3) Caloosa or Crooked Lake in Polk County. Application by Keith G. Robison on behalf of Webber College at Babson Park, Florida, for 650 cubic yards of material, \$32.50 charge.
- (4) Crooked Lake in Polk County. Application by W. C. K. Sullivan, Julie D. Pope, Theo C. Keramidas and Richard D. Field, represented by Herbert N. McTeer, for 630 cubic yards of material, \$31.50 charge.

INDIAN RIVER COUNTY - Hobart Brothers requested refund of \$1000.00, the amount paid to the Trustees for fill material authorized on June 21, 1960, to be taken from the Indian River but which was found to be unavailable due to heavy rock formation at the location proposed for dredging. Payment was made in advance but no material was taken and the project was abandoned.

Without objection the Trustees approved refund of \$1000.00 to Hobart Brothers.

LEE COUNTY - File No. 807-36-253.124. Without objection the Trustees approved Lee County Permit granted to Alfred I. Buell to fill submerged lands sale of which was confirmed to permittee on March 28, 1961 within the established bulkhead line.

MONROE COUNTY - DesRocher Sand Company, holder of Sand Lease No. 1296 expiring December 8, 1961, applied for one year extension of the lease which covered two areas southwest from Boca Chica Key near Boca Chica Channel. The lease, granted in 1959 with royalty of 15¢ per cubic yard and \$25.00 monthly minimum, was recommended

by the Board of County Commissioners and approved by the Commanding Officer of the Naval Base.

Upon motion duly adopted the Trustees approved one year extension on the same lease terms.

PINELLAS COUNTY - On September 28, 1959, the Trustees by Deed No. 22263 conveyed 497.67 acres of St. Joseph Sound sovereignty lands to the City of Dunedin for public purposes, being a strip one-half mile in width upon which the developers of the Caladesi-Honeymoon Island area would construct causeway, bridges and a toll-free road to State Road Department specifications. The plan for the strip also included a proposed municipal marina and sewage plant.

City Resolution No. 857 adopted October 9, 1961, requested the Trustees to modify the public purpose limitation with reference to a parcel of 19.635 acres situate beyond 300 feet from the road and causeway centerline, for grant to the Trustees of the Mease Hospital, Inc., a non-profit corporation, subject to certain provisions and limitations. The Attorney General found that the Trustees had authority to approve the grant by the city for the purposes and subject to limitations set forth in the city resolution. The city did not own or operate a public hospital and attention was called to the quasi-public aspect of the private non-profit hospital and clinic. The site, outside the Caladesi-Honeymoon project bulkhead line, would have direct access from both the mainland and the island development; written approval of the proposed grant was filed by the developer of that project and the State Road Department filed assurance of intent to cooperate.

A number of objections were filed, and E. H. Eckert, J. C. Fligg and M. Furman from Dunedin protested turning over the lands to a private hospital. J. D. Hobbs, Jr., and Dr. Mease, representing the Trustees of the Mease Hospital, discussed the need and plans for the facility.

The Trustees' Staff recommended that objections be overruled and that the special use clause be modified to allow the city to grant the 19.635 acres subject to all limitations and conditions set out in the city resolution, together with the further provision that no filling and construction of private hospital and clinic facilities would be done until such bulkhead line as was legally required at such time should have been fixed.

The Board approved the hospital project in general but deferred action on modification of the special use clause in the deed to the City of Dunedin until the hospital representatives could bring back specific outline of plans for financing the project. Mr. Hobbs was asked to advise the Board a week in advance and to notify the objectors of further presentation to the Trustees.

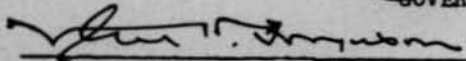
MONROE COUNTY - Attorney General Ervin brought up the subject of funds for development of the Coral Reef National Park under the supervision of the State Board of Parks and Historic Memorials. Governor Bryant advised that feasibility survey was in progress and when more information was available it would be presented to the Trustees.

No action was taken.

#### SUBJECTS UNDER CHAPTER 18296

Upon motion duly adopted the Trustees approved Report No. 798 listing one bid for sale of Murphy Act lands.

Upon motion duly adopted the Trustees adjourned.

ATTEST: 

..... DIRECTOR - SECRETARY  
11-14-61 -410-

  
GOVERNOR - CHAIRMAN

Tallahassee, Florida  
November 21, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present: Farris Bryant	Governor
Ray E. Green	Comptroller
J. Edwin Larson	Treasurer
Richard W. Ervin	Attorney General
Doyle Conner	Commissioner of Agriculture
Van H. Ferguson	Director-Secretary

Upon motion duly adopted the Trustees approved the minutes of the meeting on November 14, 1961, which had been approved by the Attorney General and copies presented to each member.

PASCO COUNTY - File No. 997-51-253.12. Deferred from October 24, 1961 and presented for consideration on this date was the application of E. J. Harrison, et al, riparian upland owners, who offered the area appraised value of \$150.00 per acre for purchase of a parcel of submerged land in the Gulf of Mexico in Section 23, Township 26 South, Range 15 East, containing 8.4 acres within the established bulkhead line. The application area was modified and reduced to meet objections filed by L. E. Severance and Otto Crohn. Mrs. Alma Scarr, an adjacent owner, waived objection and the Director recommended confirmation of the sale.

Upon motion duly adopted the Trustees overruled the objections and approved sale of the 8.4 acres to the applicants at the price offered.

SANTA ROSA COUNTY - File No. 948-57-253.12. Bulkhead Line and Sale. On August 22, 1961, the Trustees considered application of James E. Ward to purchase submerged land within a previously established bulkhead line offshore from applicant's property. Pursuant to inspection and recommendations by the Trustees' Engineer under directive of the Trustees, and in accordance with provisions of the Bulkhead Act, the Board of County Commissioners of Santa Rosa County fixed a revised bulkhead line on November 14, 1961 in Wards Basin and Blackwater Bay offshore and adjacent to Lots 1 and 3 in Section 24, Township 1 North, Range 28 West, and also Lot 7 in Section 19, Township 1 North, Range 27 West.

The Trustees examined the bulkhead map submitted on which was shown the submerged lands applied for by Mr. Ward, the riparian upland owner, within the above mentioned revised bulkhead line, total 24.24 acres of which 5.45 acres was shown by the U. S. Survey to be part of Government Lot 7, record ownership of which was in the applicant. Action on the original application for 24.7 acres total was deferred August 22 and the area applied for on this date was within the area previously advertised. The Staff recommended the revision which would preserve a wider water area between the land sought and the owners who originally objected and the modified application would preserve a channel along the north side of the peninsula. Also recommended for formal approval by the Trustees was fill permit granted by Santa Rosa County on November 17, 1961 for improvement and development by the applicant.

Upon motion duly adopted the Trustees formally approved the revised bulkhead line established by Santa Rosa County on November 14, 1961, confirmed sale at the appraised price of \$80.00 per acre for 18.79 acres, and also approved the fill permit granted by the Board of County Commissioners to James E. Ward..

#### APPLICATIONS FOR LAND

DUVAL COUNTY - File No. 907-16-253.12. Bulkhead Line; Application. On June 6, 1961 the Trustees deferred formal action on approval of the bulkhead line established in the Trout River by the Board of County Commissioners of Duval County. The line was referred to the Coastal Engineering Laboratory for study and report, and in conformity with the Laboratory report a portion of the original bulkhead line



was modified and re-established by Duval County on October 16, 1961 and was recommended by the Staff for approval by the Trustees on this date.

Also, Alexander Brest and George H. Hodges, riparian upland owners, applied to purchase a parcel of submerged land containing 8.2 acres lying southerly of and abutting uplands in Section 44, Township 1 South, Range 27 East. The Staff recommended advertisement for objections only based on not less than \$250.00 per acre value. The Board felt that the price for submerged land in an industrial area at the City of Jacksonville should be higher and at the suggestion of Governor Bryant decided to take advantage of the services of George F. Meier, Right of Way Administrator of the State Road Department, for further study and appraisal of the land in the application.

Upon motion duly adopted the Trustees formally approved the bulkhead line as established by Duval County, authorized advertisement of the parcel for objections only, and directed that the matter be referred to the State Road Department for recommendation as to valuation of the parcel of land.

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LEE COUNTY - File No. 1010-36-253.12. A. Donald Bass, abutting upland owner represented by Allen Knudsen, offered the appraised price of \$250.00 per acre for a parcel of submerged land in the Caloosahatchee River in Sections 22 and 27, Township 45 South, Range 23 East, 87.3 acres within the established bulkhead line.

Upon motion by Mr. Larson duly adopted, the Trustees authorized the parcel advertised for objections only.

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MONROE COUNTY - File No. 1039-44-253.12. Donald B. Fraser, abutting upland owner represented by G. A. Crawshaw, offered the established price of \$300.00 per acre for a parcel of submerged land in the Bay of Florida in Section 7, Township 63 South, Range 38 East, 0.39 of an acre at Plantation Key.

Upon motion by Mr. Larson duly adopted, the Trustees authorized the parcel advertised for objections only.

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#### MISCELLANEOUS

LEE COUNTY - On October 24, 1961 the Trustees appointed the Attorney General and the State Treasurer as a committee to negotiate with the applicant, F. M. Hendry, for settlement for Government Lot 5 in Section 18, Township 46 South, Range 23 East on Sanibel Island, containing 40 acres according to official U. S. Survey made in 1875. Mr. Ervin reviewed the application, reported that the Trustees had incurred expense and actually assisted in clearing up the claim, and the committee recommended that the sum of \$550.00 be accepted from the applicant for ex parte disclaimer.

Without objection the Trustees approved the report and authorized issuance of ex parte disclaimer upon payment of \$550.00 by the applicant.

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LEE COUNTY - At the request of D. K. O'Mahoney, the Director recommended issuance of new lease to Edison Shell Company covering 213 acres in Charlotte Harbor, north of Pine Island, which area was covered by Shell Lease No. 1218 issued November 26, 1958 to Fort Myers Dredging Company for three-year term with \$20.00 monthly minimum, royalty payment of 15¢ per cubic yard, \$2,000.00 bond and 30-day cancellation clause. The Director advised that the auditing program for leases was being continued, that the Board of Conservation approved the proposed new lease, and the same terms as in Lease No. 1218 were recommended.

Upon motion duly adopted the Trustees authorized issuance of new lease to Edison Shell Company at the expiration of Lease No. 1218, with terms and conditions as recommended by the Staff and the Board of Conservation.

OSCEOLA COUNTY - Central and Southern Florida Flood Control District applied for right of way for Canal C-31 (St. Cloud Canal) over and across the sovereign bottoms of Lake Tohopekaliga in Sections 8, 17 and 18 of Township 26 S., Range 30 E., and across the sovereign bottoms of Lake East Tohopekaliga in Section 34, Township 25 S., Range 30 E..

Without objection the Trustees granted right of way requested by Central and Southern Florida Flood Control District for Canal C-31.

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PALM BEACH COUNTY - Brockway, Weber and Brockway on behalf of Northlake Properties, owner of uplands in Section 9, Township 42 South, Range 43 East, Palm Beach County, requested disclaimer of a tract of land in said Section 9 containing 9.595 acres abutting applicant's upland. The tract of sovereignty land was filled under Department of the Army Permit SAKSP 800-61(57-104) issued May 21, 1957 as approved by the Trustees April 23, 1957 upon payment for the materials used for such filling. The Staff recommended issuance of ex parte disclaimer of the area filled in accordance with the policy in effect in 1957 prior to passage of the Bulkhead Act.

Upon motion duly adopted the Trustees authorized issuance of ex parte disclaimer for handling charge of \$10.00.

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PALM BEACH COUNTY - File No. 1044-50-253.129. Brockway, Weber and Brockway, on behalf of George Fehring and wife, applied for disclaimer under Section 253.129 Florida Statutes, of a parcel of land filled prior to June 11, 1957 in Boca Ratones Lagoon in Section 16, Township 47 S., Range 43 E., 0.147 of an acre, more or less.

Without objection the Trustees authorized issuance of the disclaimer for \$10.00 charge.

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PALM BEACH COUNTY - File No. 1045-50-253.129. Brockway, Weber and Brockway, on behalf of Lola A. Rawlings, applied for disclaimer under Section 253.129 Florida Statutes, of a parcel of land filled prior to June 11, 1957 in Boca Ratones Lagoon in Section 16, Township 47 South, Range 43 East, 0.216 of an acre, more or less.

Without objection the Trustees authorized issuance of the disclaimer for \$10.00 charge.

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PINELLAS COUNTY - The City of Clearwater applied for temporary dredging easement for an area in Clearwater Harbor bayward of the bulkhead line in Sections 17, 19, 20 and 30 of Township 29 South, Range 15 East, the material from which would be used in construction of road and bridge approaches to the proposed road from Clearwater southerly along Sand Key. Also, application was made for two temporary easements for the same purpose, No. 1 being in Section 30, Township 29 South, Range 15 East and No. 2 being in Section 17, Township 29 South, Range 15 East. The easements would terminate upon completion of the public road construction.

Without objection the Trustees approved issuance of the three temporary easements for the purpose requested.

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PINELLAS COUNTY - Application, approved by the State Board of Conservation, was made for issuance of State Permit to the City of Clearwater for an artificial reef in sixteen-foot depth water offshore 5400 yards from Clearwater Beach in the Gulf of Mexico, the proposed reef to be 2200 yards long with ends marked by buoys.

Without objection the Trustees approved issuance of permit to the City of Clearwater for artificial reef for standard charge of \$50.00.

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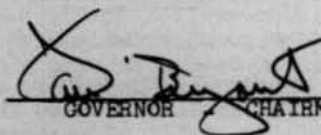
POLK COUNTY - Upon motion duly adopted the Trustees approved issuance of permits to the following applicants for removal from bottoms of Caloosa or Crooked Lake in Polk County, from an area riparian to their properties, fill material for improvement of uplands subject to compliance with permit regulations and recommendations of the Game and Fresh Water Fish Commission:


- (1) Application by Carlton E. Gregg of Babson Park, Florida, for 500 cubic yards; \$25.00 charge;
- (2) Application by Guy B. Ray of Babson Park, Florida, for 500 cubic yards; \$25.00 charge.

TRUSTEES' FUNDS - The Trustees discussed request for loan of \$150,000.00 to the State Board of Parks and Historic Memorials for development of John Pennekamp Coral Reef State Park, the approaching tourist season making urgent the need for boat launching and other facilities at the park which will bring in returns on the investment. The Comptroller called attention to a report being prepared at the Governor's direction, a loan of \$240,600.00 made to the Park Board in September, and the fact that the Trustees would have to sell securities to make any further loans.

Without objection the Trustees referred the loan request to a committee composed of the Governor, the Comptroller and the State Treasurer with authority to proceed for the Board to investigate the availability of Trustees' funds and to consummate the loan.

Upon motion duly adopted the Trustees adjourned.

  
 GOVERNOR CHAIRMAN

ATTEST:   
 DIRECTOR - SECRETARY

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Tallahassee, Florida  
November 28, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present: Farris Bryant Ray E. Green J. Edwin Larson Richard W. Ervin Doyle Conner	Governor Comptroller Treasurer Attorney General Commissioner of Agriculture
Van H. Ferguson	Director-Secretary

Upon motion duly adopted the Trustees approved the minutes of the meeting on November 21, 1961.

#### LAND SALES

PALM BEACH COUNTY - Competitive Bid Sale. On October 17, 1961 the Trustees considered offer of the appraised value of \$35.00 per acre from Charles Labens as Trustee, represented by Ralph J. Blank, Jr., for purchase of that part of Section 31, Township 46 South, Range 39 East, northwest of right of way of Levee L-6, containing 41 acres, more or less (accurate acreage to be determined



by survey). The land was advertised for competitive bids in The Palm Beach Post and proof of publication was filed with the Trustees.

The Director called out description of the land, stating that purchaser was required to pay costs of advertising, survey and documentary stamps and sale was subject to the statutory reservation to the Trustees of 75% of the phosphate, minerals and metals and 50% of the petroleum thereon or thereunder. Bids were made by five parties, resulting in high bid of \$49.00 per acre by Mr. Blank on behalf of the applicant.

Upon motion duly adopted the Trustees accepted the highest bid and confirmed sale of the land to Charles Labens as Trustee.

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BREVARD COUNTY - File No. 1015-05-253.12. On October 10th the Trustees considered request of the Brevard County Commission for dedication of three sovereignty islands or mangrove flats in the Indian River in Section 7 and 18 of Township 30 South, Range 39 East, westerly of and offshore from Governments Lots 5, 6 and 7 of said Section 7 and Government Lots 1 and 2 of said Section 18, containing 80 acres, more or less, desired by the county for public recreational purposes. Because of its proximity to the mainland the area was advertised for objections only, proof of publication filed with the Trustees, and no protest received.

The county development and use plan was received and dedication approved by the Governor's Committee. Ralph Carter, county recreation official, assured the Board of firm plans for public recreational use of the area.

Upon motion by Mr. Larson duly adopted, the Trustees approved dedication to Brevard County for public recreational use with reversion provision at option of the Trustees in event of three years non-use for the purpose for which dedicated.

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DADE COUNTY - File No. 1008-13-253.12. On October 10 the Trustees considered application by George D. Karnegis and wife, represented by B. E. Hendricks, for the submerged Biscayne Bay bottom land in unsurveyed Section 13, Township 54 South, Range 41 East, City of Miami, lying between the established bulkhead line and applicants' upland in Lot 1 of Block "G", Brikell Hammock Unit No. 1 Extension, containing 0.23 acre, more or less, in an area appraised at \$4350.00 per acre. The land was advertised for objections only in the Miami Daily News, proof of publication filed with the Trustees.

Objection by Marguerite A. B. Spalding, represented by J. Y. Porter IV, was based on Special Warranty Deed to Mrs. Spalding from Lewis Properties, Inc., dated August 31, 1961, recorded September 22, 1961. Applicant claimed title under regular chain and decree quieting title prior to 1925. Staff recommended that in the event adverse claimant did not submit satisfactory evidence of ownership the objection should be overruled and deed held for thirty days to allow objector opportunity to bring legal action. Mr. Hendricks, for the applicants, agreed to the procedure recommended by the Trustees' staff.

Upon motion by Mr. Ervin duly adopted, the Trustees accepted the recommendation and authorized sale at the price offered for the land, deed to be held for thirty days before delivery.

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DUVAL COUNTY - File No. 1012-16-253.12. On October 10 the Trustees considered application of John N. Blow et al, abutting upland owners represented by Lonnie Wurn, with offer of the appraised price of \$250.00 per acre for a tract of submerged land in the St. Johns River in unsurveyed Section 34, Township 1 South, Range 27 East, adjacent to a portion of the F. P. Ratio Grant in Section 51 of said township and range, containing 3.2 acres, more or less, within the established bulkhead line. The land was advertised for objections only in the Florida Times Union, proof of publication

filed and no protests received. The Board examined the map and noted that the sale would straighten up the shore line.

Upon motion by Mr. Larson duly adopted, the Trustees confirmed sale to the applicant at the appraised price.

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INDIAN RIVER COUNTY - On October 17 the Trustees considered offer of \$150.00 per acre from Coro Corporation, abutting upland owner represented by Thomas O. Berryhill, for purchase of 44.17 acres, more or less, described as all that land lying below the ordinary high water mark within a composite tract in Sections 21 and 28, Township 33 South, Range 40 East, in the Indian River within the established bulkhead line. The land was advertised for objections only in the Press-Journal of Vero Beach, Florida, and proof of publication filed.

The Director explained that the basis of objections from three parties was not considered valid, the land not being subject to competitive bid sale but under provisions of Section 253.12 could be sold only to the upland riparian owner. Also, it was explained that there was question as to ownership of land outside of the areas actually submerged and sale for the price offered was recommended by the Attorney General as a good settlement.

Upon motion by Mr. Green duly adopted, the Trustees overruled the objections and confirmed sale to the applicant at the price offered.

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MARTIN COUNTY - File No. 1011-43-253.12. On October 17 the Trustees considered offer of the appraised price of \$350.00 per acre from Frederick Fulford et al, abutting upland owners, for a parcel of submerged land in the Indian River in Section 15, Township 37 South, Range 41 East, 0.93 of an acre within the established bulkhead line at Jensen Beach. The land was advertised for objections only in the Stuart News, proof of publication filed with the Trustees, and no protest was received.

Upon motion duly adopted the Trustees confirmed sale to the applicant at the appraised price of \$350.00 per acre.

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MONROE COUNTY - File No. 943-44-253.12. On October 10 the Trustees considered offer of the established price of \$250.00 per acre from Edison S. Freeman, abutting upland owner, for purchase of a tract of submerged land in the Straits of Florida in Section 28, Township 60 South, Range 40 East, Key Largo, containing 5.17 acres, more or less. The land was advertised for objections only in the Key West Citizen, proof of publication filed with the Trustees, and no protest was received.

Upon motion duly adopted the Trustees confirmed sale to the applicant at the price offered.

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MONROE COUNTY - File No. 1013-44-253.12. On October 10 the Trustees considered offer of the established price of \$425.00 per acre from Reidar J. Knudsen and wife, abutting upland owners, for purchase of a parcel of submerged land in Florida Bay in Section 32, Township 63 South, Range 37 East, Upper Matecumbe Key, containing 1.04 acres. The land was advertised for objections only in the Key West Citizen, proof of publication filed with the Trustees, and no protest was received.

Upon motion duly adopted the Trustees confirmed sale to the applicant at the price offered.

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PALM BEACH COUNTY - File No. 909-50-253.12. On October 17 the Trustees considered offer of the appraised price of \$1569.00 from Fay C. Lavan, abutting upland owner, for purchase of a parcel of sovereignty land in Lake Worth in Section 11, Township 44 South, Range 43 East, 0.303 acres, more or less. The land was advertised

for objections only in the Palm Beach Post, proof of publication was filed with the Trustees, and no protest was received. Central and Southern Florida Flood Control District waived objection to the proposed sale.

Upon motion duly adopted the Trustees confirmed sale of the advertised parcel to the applicant at the appraised price.

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PINELLAS COUNTY - File No. 1024-52-253.12. Philip Spang and wife, et al, the riparian upland owners represented by Edwin Thomas, made application for a parcel of submerged land in The Narrows in Section 30, Township 30 South, Range 15 East, 0.80 of an acre at \$500.00 per acre in Indian Rocks Beach South Shore within the established bulkhead line. Pinellas County Water and Navigation Control Authority advertised the land, held public hearing and recommended the application for approval by the Trustees. Also, the Authority granted Permit No. PDF171 for dredging and filling by the applicant.

Upon motion duly adopted the Trustees approved sale of the parcel at the appraised price, and formally approved the fill permit granted by the Pinellas County Authority to the applicant.

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PINELLAS COUNTY - File No. 1025-52-253.12. On October 24 the Trustees deferred for procurement of appraisal the application by Douglas D. Roach, abutting upland owner who offered \$285.00 per acre for purchase of two parcels of submerged land in St. Joseph Sound adjacent to Lots 1 and 2 of Block 3, Futrells Subdivision in Section 11, Township 28 South, Range 15 East, 0.49 of an acre within the established bulkhead line. Pinellas County Water and Navigation Control Authority had approved the application to purchase. Trustees appraiser reported a value of \$250.00 per acre.

Without objection the Trustees confirmed sale of the submerged land to Mr. Roach at \$285.00 per acre.

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PINELLAS COUNTY - File No. 955-52-253.12. On June 27, 1961 the Trustees approved sale of 1.66 acres of submerged land in The Narrows to Clyde B. Barnes on recommendation of Pinellas County Water and Navigation Control Authority. Since the published notice of sale was erroneous in that it failed to give notice that the sale would be heard by the Trustees of the Internal Improvement Fund on a stated sale date, the county readvertised for consideration by Trustees on November 28, 1961. On this date the Director recommended reconfirmation of the sale for the record.

Upon motion by Mr. Green duly adopted, the Trustees reconfirmed the sale of the 1.66 acres of submerged land to Clyde B. Barnes at the appraised price of \$500.00 per acre.

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#### APPLICATION FOR LAND

MONROE COUNTY - File No. 1046-44-253.12. Fishermen's Hospital, Inc., riparian upland owner, tendered \$50.00 processing fee and offered \$1.00 for a parcel of submerged land in Boot Key Harbor adjacent to its upland in Government Lot 1 of Section 9 and Government Lot 3 of Section 10, Township 66 South, Range 32 East, 0.7 acre at Marathon on Key Vaca, desired for hospital uses only by the non-profit corporation which was under a Hill-Burton grant matched by local funds obtained by bank mortgage secured by pledges of citizens in the area. Marathon was not an incorporated municipality and the hospital was "community" in function though not owned by the county or other governmental body.

Without objection the Trustees authorized advertisement of the parcel for objections for conveyance for hospital uses only with provision for reversion in event of three consecutive years non-use.

11-28-61



## MISCELLANEOUS

SEMINOLE COUNTY - Without objection the Trustees authorized issuance of permit to G. Andrew Speer and Audrey B. Speer for \$200.00 charge for dredging 4000 cubic yards of fill material from the bottoms of Lake Monroe near Sanford, Florida, in an area riparian to applicant's property to improve upland, the Game and Fresh Water Fish Commission having approved dredging under state permit provisions.

LEE COUNTY - On November 7, 1961, the Trustees considered request of the Board of County Commissioners of Lee County for a public hearing on its application for a strip of land about four miles long for right of way for bridge and causeway connecting Punta Rassa Point and Sanibel Island. Notices of the public hearing held on November 15, 1961 at the Lee County Court House in Fort Myers were mailed to interested parties and published in the Fort Myers News Press and assistant Attorney General Robert C. Parker attended, representing the Trustees.

Mr. Parker reported good attendance at the hearing, that no expert testimony was produced to show that the construction of bridge and causeway as shown in the modified plans would seriously or adversely affect fishing or marine life, that many objections mentioned by interested parties pertained to matters under the jurisdiction of the local governmental agency and not properly within the area of responsibility of the Trustees, that the views of persons favoring the project were based on need for accessibility from the mainland to the islands to promote economic progress and safety. Based on a thorough review of the Trustees file and presentations at the public hearing, Mr. Parker concluded that the bridge and causeway project constituted such a public improvement as would qualify for grant or dedication of sovereignty lands for right of way purposes only in accordance with Trustees policy; therefore, he recommended that the right of way easement be granted upon condition that the instrument of dedication contain a covenant restricting the area for public right of way purposes only unless prior formal approval was obtained from the Trustees for any other intended use. Roadside picnic areas were mentioned as a possible development.

The Trustees' attention was called to the modified plan contemplating a right of way 2,400 feet wide which amounted to 738.8 acres of submerged land, that certain conditions should be met under Section 253.126 Florida Statutes, with technical details remaining to be worked out.

Upon motion by Attorney General Ervin unanimously adopted, the Trustees accepted the report and approved dedication to Lee County of sovereignty lands required for the modified bridge and causeway plans for public right of way purposes only, with covenant restricting the area for that use unless other proposed uses should be specifically approved by the Trustees, and conditioned on all details as to compliance with the law and engineering aspects being worked out.

SALVAGE LEASES - Presented for discussion was the policy regarding issuance of salvage and treasure leases in territorial waters of the State of Florida which under Section 253.03, 253.12 Florida Statutes and the Supreme Court decision in the Massachusetts case (95 So. 2nd 903) the Trustees owned and controlled, including old sunken ships and relics. Urgent requests were received from Representative Bernie C. Papy, other citizens in the Keys, and others disturbed over unauthorized operators, that the Trustees decline to grant leases of submerged areas to private treasure hunters, that old sunken galleons be protected, and that leases to salvage be restricted to scientific institutions for recovery and preservation of items of interest and historic value.

At Governor Bryant's suggestion the Director contacted the Presidents of the Universities at Gainesville, Tampa, Miami, and Florida State University at Tallahassee for names of staff members

for possible appointment as an advisory board to assist the Trustees in fixing policy and screening applicants. The Director felt that such leases should be restricted to scientific organizations, historical societies and individuals qualified in underwater archeology.

Without objection the Trustees agreed that future salvage leases should be restricted for the protection of relics of interest and historic value and approved the appointment of an advisory board.

TRUSTEES FUNDS - John Pennekamp Coral Reef State Park, Monroe County. Governor Bryant presented for further consideration the request of the State Board of Parks and Historic Memorials for loan of \$150,000 for construction at the Coral Reef Park to provide access and launching ramps for the public. The Governor stated that an investigation was made, that from revenues from state parks scheduled repayments to the Trustees on the \$240,600 recently advanced to the Park Board might be deferred, allowing use of the money for the roads and launching ramps which would be ready in February or March and then would become revenue-producing, that repayments could then be made and all the loan would probably be repaid within the biennium but if not, any deficiency could be paid from the general fund. He pointed out that the plan would not require any additional outlay of Trustees money.

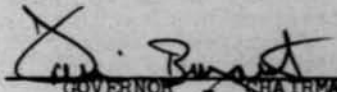
Comptroller Green recommended the proposed plan for financing and that any deficiency in repayment to the Trustees should be paid by warrant from the general revenue fund at the end of the biennium. He also recommended in the event revenue should not be sufficient at the end of the biennium to repay from the appropriation which had been authorized by the Legislature, then the appropriation should be carried over into the next biennium. He felt strongly that Trustees funds should not be expended without repayment as there were many calls upon the fund for advances.

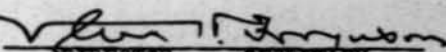
Upon motion by Mr. Ervin, seconded by Mr. Larson and unanimously adopted, the Trustees agreed to deferment of payments on the \$240,600 loan to allow the Park Board to proceed to use the money for construction of facilities for the Coral Reef State Park, with any Trustees funds not repaid by the end of the biennium to be transferred from the general fund, or if that was not sufficient that it be carried over into the next biennium.

SUBJECTS UNDER CHAPTER 18296

Upon motion duly adopted the Trustees approved Report No. 799 listing County of Columbia Deed No. 312-Duplicate to Mrs. Hazel A. Summers, issuance of which was approved by Attorney General's Office in lieu of the original deed reported lost without recording.

Upon motion duly adopted the Trustees adjourned.

  
GOVERNOR CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
December 5, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present: Farris Bryant  
Richard W. Ervin  
Doyle Conner

Governor  
Attorney General  
Commissioner of Agriculture

Van H. Ferguson

Director-Secretary

Upon motion duly adopted the Trustees approved the minutes of the meeting on November 28, 1961, which had been approved by the Attorney General and copy presented to each member.

#### APPLICATIONS FOR LAND

DADE COUNTY - On October 31, 1961 the Trustees considered request of the City of Islandia contained in its Resolution No. 22 adopted October 25, 1961 for grant of 109 acres of sovereignty tidal and submerged land between Totten and Old Rhodes Keys within the established bulkhead line, for recreational and other public uses. The recommendations of the Staff for dedication for public purposes were approved by the Trustees contingent upon county approval being given within thirty days, or in case the county failed to act the City of Islandia could request reconsideration by the Trustees. By Resolution No. 7118 adopted November 21, 1961, the Board of County Commissioners of Dade County approved dedication for public recreational purposes under the conditions recommended by the Trustees' Director, and the County Resolution urged that Trustees follow the same policy with respect to all other applications for purchase or acquisition of sovereignty, tidal and submerged lands within the Dade County bulkhead line. The Director expressed the opinion that plans should be examined at the time fill permit application was made, and that an applicant could not make plans until he knew he could buy. He explained that the recommendation as to fee title made in October was in uniformity with certain other grants by the Trustees.

Upon motion by Attorney General adopted without objection, the Trustees approved dedication to the City of Islandia for public purposes only (with the question as to fee simple title for possible mortgage reasons to be reserved and not acted upon at this time), the dedication to include the provisions that the 109-acre application area be under supervision and management of the City with provision for revocation at option of Trustees in event of non-use for three consecutive years, annual report concerning development, operation and use by the public, and requirement of written waiver of objections by owners of Totten and Old Rhodes Keys areas nearest the tract.

LEE COUNTY - File No. 1035-36-253.12. Gulf American Land Corporation, the abutting upland owner represented by Allen and Knudsen, offered the appraised price of \$250.00 per acre for a parcel of submerged land in the Caloosahatchee River in Section 23, Township 45 South, Range 23 East, 12.0 acres within the established bulkhead line.

Upon motion duly adopted the Trustees authorized the land advertised for objections only.

12-5-61



MONROE COUNTY - File No. 1038-44-253.12. Frank Keevan and wife, et al, the abutting upland owners represented by E. R. McCarthy, offered the established price of \$200.00 per acre for a parcel of submerged land in the Straits of Florida in Section 14, Township 67 South, Range 27 East, 0.77 of an acre at Sugarloaf Key.

Upon motion duly adopted the Trustees authorized the land advertised for objections only.

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MONROE COUNTY - File No. 1048-44-253.12. Dr. B. A. Burkhardt, the abutting upland owner represented by E. R. McCarthy, offered the established price of \$300.00 per acre for a parcel of submerged land in Bogie Channel in Section 11, Township 66 South, Range 29 East, 7.51 acres at Big Pine Key.

Upon motion duly adopted the Trustees authorized the land advertised for objections only.

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MONROE COUNTY - File No. 1050-44-253.12. Carl S. Zwerner and wife, abutting upland owners represented by G. A. Crawshaw, offered the established price of \$300.00 per acre for a parcel of submerged land in the Bay of Florida in Section 13, Township 62 South, Range 38 East, 0.78 of an acre at Key Largo.

Upon motion duly adopted the Trustees authorized the land advertised for objections only.

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PALM BEACH COUNTY - File No. 1043-50-253.12. Marie G. Hitchcock, abutting upland owner represented by Brockway, Weber and Brockway, offered the adjusted appraised price of \$862.00 per acre for a parcel of submerged land in Lake Worth in Section 10, Township 43 South, Range 43 East, City of West Palm Beach, 0.362 of an acre within the established bulkhead line.

Upon motion duly adopted the Trustees authorized the land advertised for objections only.

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VOLUSIA COUNTY - File No. 261-64-253.12. Henry Yunick, the abutting upland owner represented by Isham W. Adams, attorney, offered the appraised price of \$800.00 per acre for a parcel of submerged land in the Halifax River abutting uplands in Section 37, Township 15 South, Range 33 East, 1.0 acre at the City of Daytona Beach within the established bulkhead line.

Upon motion duly adopted the Trustees authorized the land advertised for objections only.

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PALM BEACH COUNTY - File No. 1051-50-253.03 and 253.36. W. E. Schlechter, abutting owner represented by Allen, Jones and Mathews, made application for two parcels of land in Sections 13 and 14, Township 43 South, Range 36 East, Palm Beach County. Parcel No. 1 was swamp and overflow land lying between the platted boundary of a subdivision, "Lands Offered for Sale in the Everglades by the Trustees Internal Improvement Fund" and the state meander, containing 5.51 acres appraised at \$500.00 per acre. Parcel No. 2 was reclaimed lake bottom lying lakeward of the first parcel, containing 8.9 acres appraised at \$200.00 per acre, and was under Lease No. 1558 dated May 31, 1961, with rental at the rate of \$11.70 per acre for one year having been paid by the lessee, Mr. Schlechter.

Without objection the Trustees authorized conveyance to the applicant at the appraised prices without advertisement, allowing refund for the unused balance credited to Lease No. 1558 calculated from date of the contract.

#### MISCELLANEOUS

COLLIER COUNTY - City of Naples requested that the State Permit which was authorized to Moorings Development Company on December 8, 1959, be re-issued in the name of the city. Certified copy of City Resolution No. 875 adopted August 2, 1961, recited that the Moorings firm entered into agreement with the city to construct jetties at Doctors Pass in accordance with the State Permit which included report and recommendation of the Coastal Engineering Laboratory, and under the agreement the firm would transfer all right, title and interest in the structures to the city.

Without objection the Trustees authorized re-issuance of the State Permit in name of the City of Naples without requirement of bond.

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COLLIER COUNTY - Attorney General Ervin presented for consideration an application from the Board of County Commissioners of Collier County, represented by Guy Stovall, for Trustees' participation in a project at Carnestown consisting of a welcome station and possibly a museum to provide certain public facilities and promote interest in the Chokoloskee area, Seminole Indians, western entrance of Everglades National Park, State Parks and other regional tourist attractions. The intended site on the Tamiami Trail about three miles from Everglades City was owned by the Collier interests and the county desired a loan from the Trustees.

At the Governor's suggestion Mr. Stovall was asked to discuss his project with Engineer William R. Kidd for investigation and preparation of a concrete proposal with recommendations from the Committee on Recreational Development, the Development Commission and the State Road Department to be presented to the Trustees for consideration at a later date.

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HIGHLANDS AND POLK COUNTIES - Without objection the Trustees authorized issuance of permits applied for by the following three upland owners to remove from lake bottoms riparian to their adjoining upland properties stated amounts of fill material to repair shore erosion and improve their uplands, the Game and Fresh Water Fish Commission having approved dredging in the lakes under permit provisions:

- (1) Lake June-in-Winter in Highlands County. Application by Donald Tope at Lake Placid, Florida, for 500 cubic yards of fill material for \$25.00 minimum charge.
- (2) Caloosa or Crooked Lake in Polk County. Application by Ellsworth Appel at Babson Park, Florida, for 500 cubic yards for \$25.00 minimum charge.
- (3) Lake Hamilton in Polk County. Application by Dr. W. T. Simpson for 8000 cubic yards for \$400.00 charge.

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LAKE COUNTY - Oklawaha Basin Recreation and Water Conservation and Control Authority requested deferment to 1962 for annual payment of the sum of \$25,000.00. Resolution of the Authority adopted November 8, 1961, recited that acquisition of easement and construction of a canal from Lake Apopka to Little Lake Harris was necessary and that funds for the purpose would not be available if the annual payment of \$25,000 was remitted in 1961 under loan of \$350,000 made by Trustees in 1958. The Auditor's records showed that the first three payments were made a year in advance of the dates due and the payment for which deferment was requested was not due and payable under the loan agreement until 1962. Without objection the Trustees approved the payment deferment requested

by Oklawaha Basin Recreation and Water Conservation and Control Authority.

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LEE COUNTY - Without objection the Trustees authorized correction in the minutes of November 21st which failed to make entry of the approved settlement for disclaimer to F. M. Hendry of Government Lot 5 in Section 18, Township 46 South, Range 23 East which was deeded to him by the Trustees March 3, 1941 but was not patented to the State until April 1950. The applicant accepted the settlement and offered \$550.00 for ex parte disclaimer.

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MONROE COUNTY - John G. McKay, Jr., on behalf of El Radabob Liquidation Trust, requested the Trustees to perfect title to Government Lot 8 in Section 33, Township 66 South, Range 27 East, 4.5 acres, conveyed by Trustees' Deed No. 15254 dated February 23, 1897 to Robert W. Fulford for twenty-five cents per acre, title on said date being vested in the United States. On September 14, 1953 the U. S. Department of the Interior, Bureau of Land Management, advised the Commissioner of Agriculture that application had been made for the 4.5 acres, that the land was then swampy in character, and requested advice as to whether the State had any objection to disposal of the lot by the United States. On September 17, 1953 the State Land Agent advised the Bureau that the State of Florida had no objection to the disposal of the lot by the U. S., and on May 9, 1955 U. S. Patent was issued to one Henry Lindsay Stickney for \$103.00 payment.

Mr. McKay advised that his client, successor in interest to the State's grantee, had regularly paid taxes on the land since 1925, being the period his firm represented his client, that tax records prior to 1925 were not in good order but no tax deeds ever issued on the land, that his client had claimed title continuously since the State deed issued in 1897 through themselves and their predecessors, that the land title was never in litigation, and that the patentee had never been in possession of the land. Trustees' Staff was advised that Mr. McKay's clients learned of the patent early in 1961 when the patentee objected to the assessment of the lot to El Radabob Liquidation Trust. Actually, the title of El Radabob appeared to have failed but it was not disposed to surrender claim in exchange for refund of the sum paid 64 years ago by the State's grantee, since title under the State deed might have been perfected by patent in 1955 had the State Land Agent sought deferment of the Federal disposition to protect the State's own grantee and his successors. Mr. McKay's client owned all upland adjacent to the parcel which was undeveloped and not accessible by any public road.

Consideration was requested of the feasibility of assisting the claimant holding title under the State deed to quiet title. Attorney General Ervin felt that the Trustees did not have sufficient interest to enter into contest between the patentee and Mr. McKay's client, and recommended that in case of a suit the Trustees could allege the facts as reported above.

The Trustees approved the recommendation of the Attorney General.

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PALM BEACH COUNTY - File No. 1027-50-253.129. Upon information from Brockway, Weber and Brockway that application for disclaimer under Section 253.129 to Vincent H. Palisano et al was made in error inasmuch as the land was not filled prior to June 11, 1957, it was recommended that the Trustees' authorization of October 31, 1961 for issuance of disclaimer be voided and no refund made. Corrected and amended application would be presented at a later date.

Without objection the Trustees authorized voiding of the disclaimer, with no refund.

12-5-61



PINELLAS COUNTY - On November 14, 1961 the Trustees considered City of Dunedin Resolution No. 857 adopted October 9, 1961 proposing modification of the public purpose clause in Trustees' Deed No. 22263 dated September 28, 1959 (497.67 acres) to allow grant of 19.635 acres by the city to the Trustees of Mease Hospital, Inc., a non-profit corporation for hospital purposes only, the proposed deed to contain restrictions and provisions defined in the above mentioned City Resolution as follows: use by city until needed for hospital purposes; no sale made without written consent of Trustees and city; use only for non-profit hospital and medical clinic; construction and operation of hospital and clinic facilities within two years after declaration of need for same by the city and Trustees, with reversion to city in default of such compliance; reversion of the parcel and any facilities thereon upon abandonment unless such abandonment was authorized in writing by city and Trustees of Internal Improvement Fund; requiring filling to at least five feet above mean high water with grading compatible with causeway and approved by agencies having jurisdiction of the road; hospital and clinic plans and specifications to be submitted by city in advance of construction and subject to reasonable regulations by city; all portions of the 19.635 acres remaining unfilled twenty years after grant by city to revert to city.

The Trustees heard objections on November 14 and generally approved the hospital project but deferred final action for information on plans for financing. After study and conference with the hospital's attorney, the Attorney General proposed modification of the city's intended restriction on sale, as follows: "The grantee shall have no power to convey, lease, mortgage or otherwise encumber the described land or any buildings or improvements hereafter constructed or placed thereon, without the express written consent of the Trustees of the Internal Improvement Fund of Florida and the City of Dunedin." By Resolution No. 861 adopted November 27, 1961, the city modified its Resolution of October 9 to conform to the Attorney General's suggestion.

Notice of consideration on this date was issued by the hospital attorney to the objectors, one of whom requested deferment until after a city election. Protest was filed by L. E. Thomas, City Commissioner, based on opposition to location, indefinite date for use of the land, and that precedent would be established for grants of the right of way. Present on this date were E. H. Eckert, and J. C. Fligg who protested that there should be no urgency in transfer of the land since the hospital would not be built immediately.

Attorney J. Dick Hobbs, Jr., on behalf of the hospital trustees, discussed the project for which planning started in 1959, stated that construction would commence when need arose by reason of development of the area, that land should be secured when available and when dredging might be done while Caladesi-Honeymoon Island work was in progress, that politics should not enter into the matter since the City Commission in office at the time would have regulatory authority.

Attorney General Ervin pointed out that the Trustees had in the past granted land for similar quasi-public uses, that the application was not such a deviation to warrant a denial, and he agreed with Commissioner Conner's statement of confidence in the elected city officials and that politics should have no bearing on the decision to be made concerning the hospital.

Motion was made by Mr. Conner, seconded by Mr. Ervin and adopted without objection, that the public use clause in Trustees Deed No. 22263 be amended with reference to the 19.635 acres only, in accordance with the conditions and limitations set forth in City Resolution No. 857 as amended by City Resolution No. 861, and that the instrument clearly show that in event the parcel or any part reverts to the city then that portion should become subject to the same public use provision imposed in Deed No. 22263 as if no modification had been made.

PINELLAS COUNTY - Without objection the Trustees formally approved dredge and fill Permit No. DF154 issued by Pinellas County Water and Navigation Control Authority to Leonard L. Minthorne Company, Inc., and Tropical Trading Company, Inc. to fill lands previously conveyed by the Trustees to a predecessor in title, in Section 30, Township Thirty South, Range Fifteen East in The Narrows at Indian Rocks Beach South Shore.

PINELLAS COUNTY - Paul R. Morrison requested duplicate for Trustees Deed No. 17648 dated May 17, 1926 issued to Laura T. S. Richardson which was never recorded. Land Office file showed conformed copy only.

Without objection the Trustees authorized issuance of new deed by present Trustees duplicating the content of the original deed with recital that the same was granted for the purpose of replacing the original instrument which was not of record.

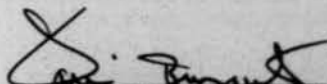
PINELLAS COUNTY - Without objection the Trustees authorized issuance of State Permit to J. E. Brady for construction of commercial dock and covered boat slips in Anclote River at applicant's land in Section 2, Township 27 South, Range 15 East, in accordance with the City of Tarpon Springs and Pinellas County Water and Navigation Control Authority permits, for processing fee of \$100.00.

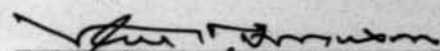
TRUSTEES OFFICE - Equipment. Without objection the Trustees approved purchase of three "natural scales" for K & E Mapping Machine (1 to 10,000 through 1 to 60,000) from Tallahassee Blueprint Company at \$15.00 each or total cost of \$45.00.

SUBJECTS UNDER CHAPTER 18296

Upon motion duly adopted the Trustees approved Report No. 800 listing County of Dade Deed No. 468-Cor.-Cor. to Madeline C. Sigmond, Mamie E. Smith and Charles A. Sigmond constituting all of the last Board of Directors as Trustees of Case Corporation, a dissolved Florida corporation, issued to correct the name of the grantee in Dade County Deed No. 468-Cor. dated November 2, 1948, to Case Corporation.

Upon motion duly adopted the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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12-5-61

Tallahassee, Florida  
December 12, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Ray E. Green	Comptroller
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

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Van H. Ferguson      Director-Secretary

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Upon motion duly adopted the Trustees approved the minutes of the meeting held on December 5, 1961, which had been approved by the Attorney General and copy presented to each member.

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LAND SALES

BREVARD COUNTY - File No. 706-05-253.12. On July 19, 1960, the Trustees considered application from Southwind Corporation, represented by Davis Engineering Inc., to purchase a parcel of submerged land in the Banana River in Section 34, Township 24 South, Range 37 East, 3.47 acres, more or less, within the established bulkhead line. Subsequently the 99-year lease under which Southwind Corporation joined the application was terminated and the application was made in the name of Robert P. McLarty, fee title holder of the uplands. The land was advertised for objections in the Cocoa Tribune, Cocoa, Florida, proof of publication was filed with the Trustees, and no protest was received.

Without objection the Trustees confirmed sale to Mr. McLarty at the appraised price for the land, \$551.47 per acre.

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BREVARD COUNTY - File No. 1023-05-253.12. On October 24 the Trustees considered application by Carl E. Jackson, abutting upland owner, for a parcel of submerged land in the Indian River in Section 22, Township 22 South, Range 35 East, 0.13 of an acre, more or less. The parcel was advertised for objections only in the Titusville Star-Advocate, proof of publication was filed with the Trustees, and no protest was received.

Without objection the Trustees confirmed sale of the parcel to Mr. Jackson at the minimum deed amount, \$100.00.

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MONROE COUNTY - File No. 1017-44-253.12. On October 24 the Trustees considered application by Philip Holland and wife, the abutting upland owners, with offer of the established price of \$425.00 per acre for a parcel of submerged land in the Straits of Florida in Section 6, Township 64 South, Range 37 East, 0.55 of an acre, more or less, at Upper Matecumbe Key. The parcel was advertised for objections only in the Key West Citizen, proof of publication was filed with the Trustees, and no protest to the sale was received.

Without objection the Trustees confirmed sale of the advertised parcel to the applicants at the price offered.

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MONROE COUNTY - File No. 1018-44-253.12. On October 24 the Trustees considered application by Nancy R. Casabona, abutting upland owner, to purchase a parcel of submerged land in the



Straits of Florida in Section 28 and 29, Township 60 South, Range 40 East, 0.93 of an acre, more or less, at Key Largo. The parcel was advertised for objections only in the Key West Citizen, proof of publication was filed with the Trustees, and no protest to the sale was received.

Without objection the Trustees confirmed sale of the advertised parcel to the applicant at \$250.00 per acre, the established price.

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MONROE COUNTY - File No. 1019-44-253.12. On October 24 the Trustees considered application by Theodore G. Smallwood, Sr., abutting upland owner, to purchase a parcel of submerged land in Rock Harbor in Section 5, Township 62 South, Range 39 East, 0.5 of an acre, more or less, at Key Largo. The parcel was advertised for objections only in the Coral Tribune, proof of publication was filed with the Trustees, and no protest to the sale was received.

Without objection the Trustees confirmed sale of the advertised parcel to Mr. Smallwood at \$350.00 per acre, the established price.

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ORANGE COUNTY - On October 3 the Trustees considered application by Diversified Services, Inc., represented by William Y. Akerman, for a peninsula between Lake Sheen and Lake Tibet Butler in Section 33, Township 23 South, Range 28 East, more particularly described as follows: from the SW corner of Government Lot 2 of said Section 33 run North 22° East along the West line of said Government Lot 2, a distance of 160 feet to the P.O.B. of the area hereinafter described; thence continue North 22° East, a distance of 268.68 feet; thence South 74°30' West, a distance of 539.12 feet; thence South 42°30' East, a distance of 255.00 feet; thence North 72° 45' East, a distance of 260.00 feet, more or less, to the P.O.B., containing 2.01 acres, more or less.

In cases of sovereignty land permanently reclaimed, the Trustees policy was to allow sale to the upland owner and the Board authorized the parcel to be advertised for objections only subject to a 200-foot cut-back from the westerly extreme of the parcel, thus leaving an opening for navigation. Sale notice was published in the Orlando Sentinel-Star, proof of publication was filed with the Trustees, and no protest to the sale was received.

Upon motion duly adopted the Trustees confirmed sale to the applicant at the appraised price of \$1000.00 for the advertised parcel.

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PALM BEACH COUNTY - File No. 1006-50-253.12. On October 24 the Trustees considered offer of the appraised value of \$5518.60 per acre from Julian D. Lehman et al, abutting upland owners, for purchase of a parcel of sovereignty land in LakeWorth in Section 23, Township 44 South, Range 43 East, 1.418 acres, more or less, within the established bulkhead line of the Town of Palm Beach. The land was advertised for objections only in the Palm Beach Post, proof of publication was filed with the Trustees, and no protest was received. Central and Southern Florida Flood Control District waived objection to the proposed sale.

Upon motion duly adopted the Trustees confirmed sale to the applicants at the appraised price.

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PALM BEACH COUNTY - File No. 1014-50-253.12. On October 24 the Trustees considered offer of the appraised value of \$1285.00 per acre from Joe W. Mimms and wife, abutting upland owners, for

12-12-61

purchase of a parcel of submerged land in Lake Worth in Section 10, Township 45 South, Range 43 East, 1.969 acres in the Town of Hypoluxo within the established bulkhead line. The land was advertised for objections only in the Palm Beach Post, proof of publication was filed with the Trustees, and no protest was received. Central and Southern Florida Flood Control District waived objection to the proposed sale.

Upon motion duly adopted the Trustees confirmed sale to the applicants at the appraised price.

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#### APPLICATIONS FOR LAND

**MONROE COUNTY** - File No. 1041-44-253.12. Kenneth H. Suggs, abutting upland owner represented by Paul E. Sawyer, offered the established value of \$250.00 per acre for a parcel of submerged land in the Straits of Florida in Section 11, Township 66 South, Range 32 East, 2.7 acres at Key Vaca.

Upon motion by Mr. Green duly adopted, the Trustees authorized the parcel advertised for objections only.

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**MONROE COUNTY** - File No. 1054-44-253.12. Mertle N. Elsenau, the abutting upland owner represented by G. A. Crawshaw, offered the established value of \$300.00 per acre for a parcel of submerged land in the Bay of Florida in Section 7, Township 63 South, Range 38 East, 0.50 of an acre at Plantation Key.

Upon motion by Mr. Conner duly adopted, the Trustees authorized the parcel advertised for objections only.

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**PALM BEACH COUNTY** - File No. 1042-50-253.12. Frank E. Roush and wife, abutting upland owners represented by Brockway, Weber and Brockway, offered the appraised value of \$1400.00 per acre for a parcel of submerged land in Lake Worth in Section 22, Township 45 South, Range 43 East, 1.205 acres in the City of Boynton Beach within the established bulkhead line.

Upon motion by Mr. Green duly adopted, the Trustees authorized the parcel advertised for objections only.

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**BAY COUNTY** - File No. 1036-03-253.12. Bulkhead Line and Application. Recommended for formal approval was the bulkhead line established under provisions of Chapter 253.122, Florida Statutes 1957, by the City of Panama City by Resolution adopted on September 15, 1959 for upland property of Harby Marina, Inc., bordering the tidal waters of St. Andrews Bay within the City Limits of Panama City in Section 9, Township 4 South, Range 14 West, Watson Bayou. The Trustees examined the bulkhead map submitted by the city.

Also, Harby Marina, Inc., abutting upland owner represented by Logue and Bennett, attorneys, applied to purchase a parcel of submerged land in Watson Bayou in Section 9, Township 4 South, Range 14 West, 0.98 of an acre in Panama City landward of said bulkhead line. The staff recommended a value of \$300.00 for the parcel, no particularly satisfactory appraisals having been obtained for lands in that area.

Upon motion by Mr. Conner duly adopted, the Trustees formally approved the bulkhead line as established by the City of Panama City in Bay County; also, the parcel applied for by Harby Marina, Inc., was authorized advertised for objections only based on the recommended price.

PINELLAS COUNTY - File No. 1047-52-253.12. Bulkhead Line and Application. Presented to the Trustees for formal approval were bulkhead lines fixed by the Pinellas County Water and Navigation Control Authority (1) on November 10, 1960, for upland of Girard W. Lane, Trustee, at Seaside Point in Section 3, Township 28 South, Range 15 East, following the shore of St. Joseph Sound about 550 feet, then proceeding bayward and ending about 770 feet offshore in the mouth of Sutherland Bayou, the maximum offshore distance being about 1600 feet, and (2) on September 28, 1961, beginning at the offshore end of the Lane bulkhead line and connecting with previously established bulkhead line in Sutherland Bayou. Bulkhead line preserved the character of the area which was a natural estuary.

Water depths within the Lane line and beyond averaged one foot at mean low water and application to purchase the 99.19 acre parcel of submerged St. George Sound tract landward of the Seaside Point bulkhead line was made by Girard W. Lane, as Trustee, riparian upland owner. George K. Kickliter was present on behalf of the applicant.

The area originally sought was 115 acres, however numerous objections were registered at the local hearing with reference to the northerly portion which was deleted by the County Authority. Filed with Trustees were two reports, one from Board of Conservation that dredging and filling would not be in the best interests of conservation and a more detailed report made by Dr. James B. Lackey that the damage incident to development would not be total, large or final. Applicant furnished layout of plan for filling and finger-type development. The appraiser on November 10, 1961 reported a value of \$250.00 per acre and indicated that development costs would be great due to poor access and environment. It appeared to Trustees' staff that the applicant's upland together with the submerged area sought would constitute sufficient area for a new, planned development which might enhance as development proceeded.

C. K. Charles was present on behalf of Mrs. Charles, owner of N $\frac{1}{2}$  of Government Lot 1 of Section 2, Township 28 South, Range 15 East, who had submitted a stipulation entered into between her and First National Bank of Dunedin as Trustee, predecessor of applicant, whereunder the parties jointly sought establishment of bulkhead line and agreed that the submerged area south of the two owners should be purchased jointly. Mr. Charles interpreted the stipulation as being applicable to the zone south of a line projected west from the southerly tip of the small parcel in the northwest corner of the NW $\frac{1}{4}$  of SW $\frac{1}{4}$ , owned by Mrs. Charles, and took the position that riparian rights ran outward to the sound and not to the centerline of the bayou. The staff felt that the submerged area in Section 3 could be conveyed only to the applicant in accordance with limitations in Section 253.12, Florida Statutes.

The Board heard Mr. Charles and Mr. Kickliter and suggested further discussion between the parties to work out some agreement or compromise settlement. The Trustees also questioned whether the bulkhead line extending gulfwards 1600 feet was in the public interest, but noted the shallow water depth.

Upon motion by Comptroller Green duly adopted, the Trustees referred the bulkhead line and purchase application to a staff committee for working with the two principals to see if differences could be resolved and a compromise brought back for consideration by the Board at a later meeting.

#### MISCELLANEOUS

DADE COUNTY - File No. 656-13-253.124. Upon motion by Mr. Conner duly adopted, the Trustees formally approved the fill permit granted to Mrs. Agnes C. McKay, applicant, by City of Miami Resolution No. 33218 adopted on November 15, 1961, for dredging and filling submerged land on Biscayne Bay westerly shore in Section 18, Township 53 South, Range 42 East, previously conveyed

12-12-61



by Trustees' Deed No. 22536.

HARDEE COUNTY - Request for disclaimer was made by W. H. D'Allesandro on behalf of Russell R. Bevis et al, owners of the NW $\frac{1}{4}$  of NE $\frac{1}{4}$  and NE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 10, Township 33 South, Range 24 East. The land was patented to the State of Florida 1858 and sold by Trustees February 3, 1883 (Deed No. 11664) to Florida Land & Improvement Company, was sold for taxes in 1901, and tax deed issued to H. A. Ragle who quitclaimed the tax title to "C. J. Carlton and State of Florida", both in 1907. Carlton conveyed the tax title on March 6, 1910, to W. G. Welles who had acquired title in 1903 under regular chain of title based on the patent, Welles being predecessor in chain of title of applicant. The complete abstract of title was examined and taxes were paid through 1960.

Upon motion adopted without objection the Trustees authorized issuance of disclaimer for handling charge of \$10.00.

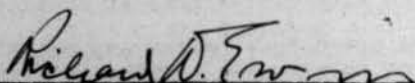
HIGHLANDS COUNTY - Upon motion duly adopted the Trustees authorized issuance of permit to the Town of Lake Placid with no charge for 500 cubic yards of fill material to be dredged from bottoms of Lake June-in-Winter to improve city owned lakefront property described as Town Beach at Town Club House. H. L. Bishop, Streets and Parks Superintendent, made application on behalf of the town, and Game and Fresh Water Fish Commission approved dredging in the lake under state permit provisions.


LEE COUNTY - Upon motion by Mr. Conner duly adopted, the Trustees authorized issuance of State Permit for standard processing fee of \$50.00 to Fort Myers Rod and Gun Club for construction of an artificial reef four nautical miles south from Point Ybel at Sanibel Island in the Gulf of Mexico as recommended by Salt Water Fisheries Division of the State Board of Conservation.

SUBJECTS UNDER CHAPTER 18296

Upon motion by Mr. Green adopted without objection, the Trustees approved Report No. 801 listing 204 regular bids for sale of lands under the Murphy Act, and authorized execution of deeds therefor.

Upon motion duly adopted the Trustees adjourned.

  
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ATTORNEY GENERAL - ACTING CHAIRMAN

ATTEST:   
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DIRECTOR - SECRETARY

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12-12-61

Tallahassee, Florida  
December 19, 1961

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture
	Van H. Ferguson	Director-Secretary

Minutes of the meeting on December 12, 1961 were approved as presented.

#### LAND SALES

DADE COUNTY - Resolution No. 7119 adopted November 21, 1961 by the Board of County Commissioners of Dade County requested adoption of a policy by the Trustees of withholding submerged land sales for the lower Biscayne Bay Islands until applicants had first submitted to the Trustees satisfactory proof that they proposed to use, develop and improve the submerged land in accordance with an appropriate plan acceptable to the Trustees. Trustees' Staff considered the request reasonable and consistent with existing policy to encourage sales for desirable development and not adverse to the public interest, and to discourage the filing of applications for purchase for "protection only" and for holding the unfilled land as a speculative investment. The Staff felt that it was impracticable to require the riparian owner to expend funds for preparation and submission of definite development layouts when the owner could not be assured that any sale would be made by the Trustees, and it was suggested that the requirement of "satisfactory proof" might be limited to requirement of a written, signed statement by applicant as part of his purchase application. Filling and development could proceed legally only with formal permit from the City of Islandia, approved by the Trustees, and the usual federal permit. It was incumbent upon the Trustees and staff to carefully examine the local and federal permits and plans for dredging and filling before approval was granted, and it was recommended that the request of the county in its Resolution No. 7119, construed as above, be approved and policy fixed accordingly.

The following land sales were presented for confirmation:

(1) DADE COUNTY - File No. 679-13-253.12. On October 31, 1961, the Trustees considered application by Richard B. Swanson, riparian upland owner represented by G. A. Crawshaw, for two parcels of submerged land in Section 33, Township 58 South, Range 41 East, the combined area being 66.2 acres, more or less, within the established bulkhead line at Swan Key in the City of Islandia. Parcel 1 lying in Old Rhodes Channel northerly of and abutting Government Lot 2 of said Section 33 contained 29.5 acres appraised at \$165.00 per acre and Parcel 2 lying in the Atlantic Ocean southeasterly of and abutting said Government Lot 2 contained 36.7 acres appraised at \$235.00 per acre. The land was advertised for objections only in the Homestead News, proof of publication was filed with the Trustees, and no protests to the sale were received.

(2) DADE COUNTY - File No. 957-13-253.12. On October 31, 1961, the Trustees considered application by Raymond A. Pollizzi for The Pollizzi Trust, riparian upland owner, for a parcel of submerged land appraised at \$235.00 per acre in Broad Creek at Gold Key in Section 33, Township 58 South, Range 41 East, 27.81 acres, more or less, in the City of Islandia within the established bulkhead line. The land was advertised for objections only in the Homestead News, proof of publication was filed with the Trustees, and no protests to the sale were received.

12-19-61

(3) DADE COUNTY - File No. 516-13-253.12. On February 16, 1960 the Trustees deferred action on application by Stanley C. Myers, riparian upland owner, for 108.7 acres, more or less, of submerged Biscayne Bay land appraised at \$123.00 per acre within the established bulkhead line and riparian to applicant's Ragged Key No. 1. The land had been advertised for objections previously and held pending discussion and study by Dade County regarding areas which should be reserved for public purposes. City of Islandia Resolution No. 25 recommended the application.

(4) DADE COUNTY - File No. 519-13-253.12. On February 16, 1960 the Trustees deferred action on application by George Stamos and wife, upland owners, for purchase of two parcels of submerged Biscayne Bay lands with combined area of 166.1 acres within the established bulkhead line riparian to applicants' land on Ragged Keys Nos. 2, 3, 4 and 5, appraised at \$123.00 per acre. The land had been advertised for objections previously and held pending discussion and study by Dade County regarding areas for public purposes. City of Islandia Resolution No. 29 recommended approval of the application.

(5) DADE COUNTY - File No. 520-13-253.12. On February 16, 1960 the Trustees deferred action on application by Christiansen Corporation, et al, riparian upland owner, which subsequently conveyed Ragged Key No. 3, including adjacent submerged lands, to Continental Equities, Inc., represented by William C. Martin. The 96.7 acres of submerged Biscayne Bay lands in the application of Continental Equities, Inc., was within the established bulkhead line and appraised at \$123.00 per acre. The land had been advertised for objections previously and held pending discussion and study by Dade County regarding areas for public purposes.

On March 8, 1960 the Board of County Commissioners of Dade County adopted Resolution No. 4727 requesting the Trustees to make no submerged land sales in lower Biscayne Bay without reserving appropriate areas for public use, however no public area locations were recommended by the County. The Trustees on March 22, 1960 adopted a Resolution fixing a condition precedent for sales in Lower Biscayne Bay that applicants first submit development and use plans, including areas to be allocated for public use, to the Board of County Commissioners, subject to final determination by the Trustees, and that no sales would be made in the zone without affording Dade County opportunity to be heard. On December 6, 1960 the County by Ordinance No. 6945 granted municipal charter to the City of Islandia with authority to issue municipal permits for dredging and filling as provided for in Section 253.124 Florida Statutes. City of Islandia Resolution No. 30 adopted on December 13, 1961 requested that the Trustees not consider any applications for purchase of submerged lands within the city until approved by the City Council, and several applications to purchase were approved.

Inasmuch as applicant could not be expected to expend funds for surveys and plans without assurance of purchase, the Trustees' Staff recommended confirmation of the five sales presented on this date contingent upon approval by the City of Islandia and with the clear understanding that permits for dredging and filling by the city would be evaluated with reference to the fill plan and intended use before approval by the Trustees.

Reginald Walters and Roscoe Jones of Metro Planning Department, Dade County Commission Chairman Robert Haverfield, and others discussed the "Preliminary Land Use Plan and Policies for Development, Metropolitan Dade County, Florida", copies of the booklet being filed with the Trustees. The county development plan for Islandia and the proposed County Park was shown on maps, probable highway and causeway locations were indicated, potential population expansion discussed, and the county requested that the entire ocean frontage be reserved for public use and that all sales on the bay side be held up until upland owners were ready to fill and develop in accordance with approved plans. It was stated that the City of Islandia joined with Dade County in the request to withhold sales on the oceanfront.



Attorney General Ervin pointed out that owners were pressing for action, that there had been a great deal of delay in getting the county's recommended plan for Islandia, that while the municipality had approved some purchase applications the Trustees did not want to by-pass Dade County in view of the city's great need for cooperation and assistance of the county, especially in the matter of causeway and roads. He said that the Trustees, with whom the final decision as to sales rested, tried to balance the rights of private owners with the public interest.

Present from the City of Islandia were Mayor L. L. Brooks, Vice Mayor Ralph Fossey, and a number of property owners and applicants. Mr. Brooks said that city and county officials were not too far apart on development plans, but that since the county plan for Islandia was brought out so recently many owners had not had opportunity to study it. He felt that a deferment of thirty days would allow time for property owners, planning board, County Commission and City to discuss the plan, but he pointed out that on the Bay side the County continued to delay. Mr. Haverfield agreed that the county would work with the Islandia group.

Several property owners in Islandia, not satisfied with the proposed deferment, expressed the feeling that the county would continue to delay, that there were inequities in the county development plan and the city plan was more feasible, that zoning should take care of the development approvals, that owners had paid taxes on their uplands for years and desired to purchase submerged land and develop their property as provided by law.

Upon motion by Mr. Green, seconded by Mr. Larson and adopted, the Trustees deferred action for thirty days on the five sales up for confirmation on this date; the Board requested that Metro Dade County and the City of Islandia work together on development plans for the submerged areas on the Bay side, and if possible the Atlantic Ocean side, and that the recommendations of both groups be filed with the Trustees for consideration at a meeting scheduled for January 1962; and the above action was made subject to concurrence of the Governor who had been called from the Board Room prior to conclusion of the hearing.

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MANATEE COUNTY - File No. 929-41-253.12. On July 25, 1961, the Trustees confirmed sale to Howard E. Helms and wife of 0.43 of an acre of submerged land in Sarasota Bay in Section 11, Township 34 South, Range 16 East, based on erroneous advertisement and notices to riparian owners. At the applicants' expense the parcel was readvertised correctly in the Bradenton Herald as being in Section 11, Township 35 South, Range 16 East, and corrected plats and notices were sent to the riparian owners. Reconfirmation of the sale at the appraised value of \$400.00 per acre was recommended.

Without objection the Trustees confirmed sale of the parcel in Section 11, Township 35 South, Range 16 East to the applicants at the price offered.

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MONROE COUNTY - File No. 1028-44-253.12. On November 7 the Trustees considered offer of the established price of \$300.00 per acre from Albert T. Learst et al, abutting upland owners, for purchase of a parcel of submerged land in the Straits of Florida in Section 23, Township 62 South, Range 38 East, Key Largo, containing 2.0 acres, more or less. The parcel was advertised in the Key West Citizen, proof of publication filed with the Trustees, and no protest received.

Upon motion by Mr. Green duly adopted the Trustees confirmed sale of the parcel at the price offered.

### BULKHEAD LINE

HILLSBOROUGH COUNTY - Presented to the Trustees for approval was the bulkhead line submitted by the Board of County Commissioners as fixed April 21, 1961, for the easterly side of Hillsborough Bay beginning at the north end of the line previously established (in Section 4, Township 31 South, Range 19 East) and proceeding northerly to the submerged area owned by Hillsborough County Port Authority. Objectors, represented by John W. McWhirter, protested the line located in the area known as "The Kitchen" in the S $\frac{1}{2}$  of Section 34, Township 30 South, Range 19 East and the N $\frac{1}{2}$  of Section 3, Township 31 South, Range 19 East, and requested deferment of action on that unit (between courses 2 and 7 of the legal description of the line). Sam Gibbons, on behalf of owner of a parcel 3000 feet wide including the Alafia Channel, requested deferment with reference to the area within 1500 feet of the channel centerline.

The Director recommended deferment of action on the two units mentioned to allow the county to make whatever adjustment it saw fit, and recommended formal approval of the remainder of the line, which was fixed to accommodate industrial uses of the land.

Upon motion by Comptroller Green, seconded by Treasurer Larson, and duly adopted, the Trustees accepted the recommendations of the Director and formally approved the bulkhead line adopted by Hillsborough County with the exception of the two units protested, which were deferred.

### MISCELLANEOUS

DADE COUNTY - File No. 811-13-253.12. Request was made by Henry Sinclair on behalf of James L. Paxson, et al, for issuance of deed, upon payment of purchase price of \$14,270.02 plus interest, conveying 57.65 acres on the easterly end of tract of 193.78 acres included in Contract No. 22903 issued October 24, 1961 to Charles L. Harvey, et al, the total purchase price being \$50,121.25 plus interest. Sale to Harvey, et al, had been made pursuant to dismissal of litigation of Paxson, et al, v. Harvey, et al (including Trustees as defendant). Written consent of Paxson et al was filed with agreement between Paxson et al and Harvey et al to purchase the 193.78 acres and convey the 57.65 acres at cost to Paxson, et al. Inasmuch as the full purchase price was not tendered for the 57.65 acres, same was included in the purchase contract No. 22903 to Harvey, et al.

Upon motion duly adopted, the Trustees authorized issuance of deed conveying to James L. Paxson, et al, the 57.65 acres upon payment of purchase price plus interest to date of the payment, and adjustment of Contract No. 22903 accordingly or issuance of new contract for the remaining 136.13 acres, to supersede the original contract.

DUVAL COUNTY - On November 7, 1961, the Trustees authorized dedication of the St. Johns River submerged lands within the bulkhead line in front of the City of Jacksonville's Southside Park located in the zone between the Acosta and Alsop Bridges, and Trustees Instrument No. 22933 dedicated the parcel for public purposes only under supervision and management of the city with provision for revocation at option of Trustees in event of non-use for three consecutive years. The City Attorney requested deed conveying title for park, recreation, marina and other public and municipal purposes without any defined reversion clause, stating that lack of title in the name of the city would impair the financing of improvements. The Attorney General's office reviewed the request and affirmed the Trustees' policy in recent years to commit state lands for public purposes by dedication except upon clear showing that improvement was to be financed by a bond issue, in which cases deeds were granted for public purposes with appropriate reversion clauses.

The recommendation of the staff was that dedication should stand until there was clear showing of need for deed with the development plan for which a bond issue was required and that upon approval of the plan by the Trustees deed should be granted for public purposes with reversion clause, and with appropriate limitations as to grants of concessions or leases of the granted area to private commercial enterprises.

Upon motion by Mr. Larson seconded by Mr. Green and adopted, the Trustees accepted the staff recommendations as the action of the Board.

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INDIAN RIVER COUNTY - Upon motion duly adopted the Trustees authorized amendment without charge of Dock Permit No. CD-46 held by Wauregan Boat Club to extend its dock structure an additional forty feet into Sebastian River at Roseland, the extension to be without lateral additions which might infringe on private riparian rights.

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LEE COUNTY - Upon motion duly adopted the Trustees authorized sale to A. W. Wilson at the standard yardage rate, total \$146.15 for 2923 cubic yards of material to be dredged from Estero Bay to improve his property described as Lot 36, Block "B", Holiday Heights at Fort Myers Beach, subject to approval of Salt Water Fisheries Division of the State Department of Conservation.

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MANATEE COUNTY - Bradenton Dredging and Shell Company, holder of Shell Lease No. 61 which expired May 31, 1961, requested five-year lease of four new offshore areas in the Manatee River approved by the State Board of Conservation. Processing of the request was delayed by various conditions which the Board of County Commissioners of Manatee County proposed and withdrew on December 8th.

Julius F. Parker on behalf of Coastal Petroleum Company filed objection to leasing for removal of dead shell.

Governor Bryant requested that action be delayed until a report prepared at his request on the policy and management of dead shell leases has been studied. He stated that as to one such lease, a detailed investigation showed that the state had not received proper reimbursement, and that although the Board of Conservation years ago was given authority to employ the necessary auditing staff to check leases, it was not done. All revenues from shell leases went to the Conservation Department and were used for research programs. Director Randolph Hodges said that increased revenues could provide for a marketing program and other needed projects. The Governor asked for a study of the current yardage rate paid to the state.

Upon motion by Mr. Ervin, seconded and adopted, the Trustees overruled the objection of Coastal Petroleum Company. Also, on motion by Mr. Larson duly adopted, the Trustees deferred action on the lease application for further study of policies as to shell leases.

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MONROE COUNTY - George W. R. Andrade requested six-month deferment of the eighth installment (\$226.39) due January 15, 1962 on his Contract No. 21844, and the fifth installment (\$510.53) on Contract No. 22362. The two contracts including interest aggregated \$8544.78, of which Mr. Andrade had paid \$4802.43.

Upon motion by Mr. Green duly adopted, the Trustees agreed to six-month deferment of the two payments with requirement of one per cent per month penalty interest.

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PALM BEACH COUNTY - Upon motion by Mr. Green duly adopted, the Trustees authorized temporary easement to the State Road Department for dredging five separate areas in Lake Okeechobee lakeward of the



Hoover Dike for construction of State Roads Nos. 25 and 80 (Section 93100-2113), subject to any and all rights held by the United States Corps of Engineers.

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PASCO COUNTY - On recommendation of the Director, the Trustees approved assignments of Contracts Nos. 22179, 22180, 22182 and 22291 by Howard A. Burkland and Sumner S. Sollitt in favor of Floramar Development Corporation, and acceptance of the same by said assignee.

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POLK COUNTY - Keith G. Robison on behalf of Jere L. Stambough, H. W. James, Harry C. McCollum and George K. Holtsclaw applied for permits to dredge 500 cubic yards each of fill material from bottoms of Lake Ariana to improve their upland properties.

Upon motion duly adopted, the Trustees authorize issuance of permits to the four applicants at \$25.00 each, subject to approval of the City of Auburndale and the Game and Fresh Water Fish Commission.

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POLK COUNTY - On November 14, 1961, the Trustees approved a fill permit to Webber College at Babson Park, Florida, for removal of 650 cubic yards of material from Crooked Lake. Keith G. Robison, the dredger, advised that the college had decided against including the repair work in their 1961 budget and requested refund of the payment tendered.

Upon motion by Mr. Green duly adopted, the Trustees authorized cancellation of the permit and refund of the \$32.50 payment.

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SARASOTA COUNTY - Florida Board of Parks and Historic Memorials requested concurrence of the Trustees in supplemental deed of 1.2 acres in the SE $\frac{1}{4}$  of Section 14, Township 38 South, Range 18 East to E. A. Springstead and wife, without reservation of any oil and minerals. On June 6, 1961 the Trustees joined with the Park Board in conveyance of the parcel in exchange for a parcel to be included in Oscar Scherer State Park (formerly South Creek State Park) and the Park Board's deed was made with a reservation of oil and minerals. No reservation of oil or minerals was contained in the original public land conveyances and the Attorney General suggested re-draft of the deed with the reservation omitted.

Upon motion by Mr. Green duly adopted, the Trustees approved the request of the Florida Board of Parks and Historic Memorials for concurrence in the deed without oil and mineral reservation.

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TRUSTEES' FUNDS - Mr. Green stated that 1800 square feet of available space in the attic of the Carlton Building could be made usable for offices and that a low bid of \$5,121.00 was received for the necessary partitioning, electrical and air conditioning work.

Upon motion by Mr. Larson, duly adopted, the Trustees authorized expenditure of the low bid amount, with allowance for contingencies, for the work in the Carlton Building.

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CAPITOL CENTER - Trustees' Office Building. Attention was called to the need for study of the necessary grading, paving of parking area, and landscaping of the lot occupied by the Elliot Building. A tentative layout was submitted by the Construction Division of the Board of Commissioners of State Institutions, but extensive regrading of the easterly portion of the lot and possibly a retaining wall might be necessary to correct the objectionable condition of the embankment directly in front of the Mayo Building and to conform the grounds to the landscaping across the Apalachee Parkway.

Also, Mr. Green requested that the Road Department take care of grading and paving of the new State Office Building lot at Gaines and Duval Streets.

Upon motion by Mr. Green duly adopted, the Trustees requested that the Governor take the matter up with the State Road Department.

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SUBJECTS UNDER CHAPTER 18296

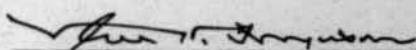
Upon motion by Mr. Green duly adopted, the Trustees approved Report No. 802 listing Palm Beach County Deed No. 769-Duplicate to Ed Long issued in lieu of the original deed dated February 3, 1941 which was lost without having been placed of record.

Upon motion duly adopted, the Trustees adjourned.

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GOVERNOR - CHAIRMAN

ATTEST:

  
DIRECTOR - SECRETARY

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Tallahassee, Florida  
January 2, 1962

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Ferris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard V. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

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Van H. Ferguson	Director-Secretary
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Upon motion duly adopted, the Trustees approved the minutes of the meeting held on December 19, 1961, which were approved by the Attorney General and copy presented to each member.

DUVAL COUNTY - File No. 907-16-253.12. Present on this date were George F. Meier and Vernon Clyatt of the State Road Department to make report and recommendation on valuation of a 8.2 acre parcel of submerged land in the Trout River in Duval County applied for by Alexander Brest and George H. Hodges, abutting upland owners. Trustees' appraisal reported a value of \$250.00 per acre for the land and on November 21, 1961, the Board referred the valuation to the State Road Department for study, Governor Bryant questioning whether current appraisal policies were establishing sufficient values for state lands.

Mr. Meier advised that, proceeding in what was considered the best interests of the state, the study was based on a different appraisal concept since submerged lands could be sold only to

1-2-62

upland owners and not on the open market, and that for the particular land in question an appraised value of \$960.00 per acre was recommended. Mr. Clyatt explained the appraisal procedure he had followed and answered questions raised by the Trustees.

After considerable discussion, the Governor requested that Mr. Meier and Mr. Clyatt meet with the Attorney General and Assistant Attorney General Robert Parker for further review of appraisal policies to determine whether any changes should be made at this time.

It was so ordered.

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#### APPLICATIONS TO PURCHASE LAND

DADE COUNTY - File No. 1064-13-253.12. Noble E. Bowlby and wife, abutting upland owners represented by G. A. Crawshaw, offered the appraised price of \$245.00 per acre for purchase of a parcel of submerged land in Biscayne Bay in Section 28, Township 58 South, Range 41 East, Noble Island, containing 6.94 acres within the established bulkhead line of the City of Islandia. The City Council of Islandia approved the purchase application.

Upon motion duly adopted the Trustees authorized the parcel advertised for objections only.

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DADE COUNTY - File No. 1065-13-253.12. Harry Markowitz, as Trustee, abutting upland owner represented by G. A. Crawshaw, offered the appraised price of \$245.00 per acre for purchase of two contiguous parcels of submerged land in Biscayne Bay in Sections 20 and 21, Township 58 South, Range 41 East, Totten Key, 48.44 acres within the established bulkhead line of the City of Islandia. The City Council of Islandia approved the purchase application.

Upon motion duly adopted the Trustees authorized the parcel advertised for objections only.

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MONROE COUNTY - File No. 1037-44-253.12. Charles J. Suffridge, abutting upland owner represented by Ralph E. Cunningham, Jr., offered the established price of \$250.00 per acre for a parcel of submerged land in the Bay of Florida in Section 5, Township 66 South, Range 33 East, 0.87 of an acre at Crawl Key No. 1.

Upon motion duly adopted the Trustees authorized the parcel advertised for objections only.

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MONROE COUNTY - File No. 1062-44-253.12. Mechanical Industries Southern Corporation, the abutting upland owner represented by G. A. Crawshaw, offered the established price of \$300.00 per acre for purchase of two parcels of submerged land in Section 18, Township 63 South, Range 38 East, Plantation Key, Parcel 1 in the Straits of Florida containing 1.4 acres, and Parcel 2 in the Bay of Florida containing 1.5 acres.

Upon motion duly adopted the Trustees authorized the land advertised for objections only.

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MONROE COUNTY - File Nos. 1056, 1057, 1058, 1059, 1060 and 1061-44-253.12.

L. W. Thomas, on behalf of John R. Johnson, Frank Richter, Robert F. Ziegler, John E. Wiss, Rio B. Wagner and Elmer J. Sigler, abutting upland owners, offered the appraised price of \$375.00 per acre for six contiguous parcels of submerged land in the Straits of Florida in Sections 34 and 35, Township 66 South, Range 28 East, Summerland Key, containing a total of 3.16 acres.



Upon motion duly adopted the Trustees authorized the land advertised for objections only.

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PALM BEACH COUNTY - File No. 1071-50-253.12. William Smith, abutting upland owner represented by John Adair, Jr., and Associates, offered \$1500.00 (\$100 more than the appraised value) for a parcel of submerged land in Lake Worth in Section 15, Township 45 South, Range 43 East, containing 1.0 acre in the City of Boynton Beach within the established bulkhead line.

Upon motion duly adopted the Trustees authorized the parcel advertised for objections only.

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VOLUSIA COUNTY - File No. 998-64-253.12. James H. Erisman, abutting upland owner represented by Stepp, Inc., applied to purchase a parcel of submerged land in the Halifax River in Section 11, Township 16 South, Range 33 East, 0.23 of an acre within the established bulkhead line. The parcel was appraised at \$200.00 per acre.

Upon motion duly adopted the Trustees authorized the parcel advertised for objections only on the basis of \$100.00 minimum price.

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VOLUSIA COUNTY - File No. 1052-64-253.12. A. W. Ecklund, abutting upland owner represented by Stepp, Inc., offered the appraised price of \$200.00 per acre for a parcel of submerged land in the Halifax River in Sections 2 and 11, Township 16 South, Range 33 East, 1.5 acres within the established bulkhead line.

Upon motion duly adopted the Trustees authorized the land advertised for objections only.

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PALM BEACH COUNTY - File No. 618-50-253.0013(2). Brockway, Weber and Brockway, on behalf of T. G. Patterson, the abutting upland owner, applied for disclaimer under Section 253.129 Florida Statutes to a 0.880-acre parcel of land in Section 22, Township 43 South, Range 43 East, filled prior to the effective date of the Bulkhead Act.

Also, the applicant offered the appraised value of \$13,266.65 for conveyance under Section 253.0013 of a parcel of submerged land in Lake Worth in Section 22, Township 43 South, Range 43 East, containing 2.266 acres in the City of West Palm Beach within the established bulkhead line. Filling of the parcel was authorized by U. S. Corps of Engineers Permit No. SAKSP 800-61(56-173) approved in 1956 by the Trustees, and several modifications of the original permit were authorized by U. S. Engineers. The parcel was between the mean high water mark and the bulkhead line established by the City of West Palm Beach on November 26, 1956. Memorandum opinion of the Attorney General dated June 6, 1960 concluded that applicant was not entitled to a deed under said section without payment of consideration for the 2.266 acres. Sale without advertising was recommended.

Upon motion duly adopted the Trustees authorized issuance of disclaimer to the 0.880 acre parcel of filled land for \$10.00 charge, and confirmed sale of the 2.266 acres to the abutting upland owner at the appraised price, without advertisement.

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#### LEASES

SHELL LEASES - On December 19, 1961, the Trustees deferred action on proposed dead shell leases for review of policy and management procedures and study of a report prepared by Director of the Board of Conservation.

On this date the Board of Conservation considered the following memorandum presented by the Governor:

"At the Trustees' meeting of December 19, 1961, I requested that the Trustees hold in abeyance all proposed dead shell leases until I had had an opportunity to review the reports from the Director of the Board of Conservation on this matter. I would recommend to this body that the Board of Conservation, acting through the Director, be directed to assume responsibility for and control over these leases, subject to the review and approval of the Trustees of the Internal Improvement Fund.

"More specifically I would suggest that we direct the Board of Conservation to:

"1. Employ an auditor to examine the records of our own departments and those of our lessees;

"2. Require that the Board of Conservation, through its Director, supervise and inspect the operations of the dredging companies in the field at all times;

"3. Study and recommend to the Trustees a minimum fee schedule for shell based on the current market price of shell;

"4. Consider and emphasize the conservation aspect of these shell leases, particularly those relating to reseeded dredged areas and damages to other marine life which might result from unauthorized actions of the lessee. These factors should be covered in the bond;

"5. Require that shell leases be drawn on a uniform document for all similar leases and should have the approval of the Attorney General as to sufficiency and legality;

"6. Recommend leases after negotiation or bid, using as a basis for judgment;

a. Financial status of the applicant;

b. Review the history of the company's relations with the State if prior leases have been in effect;

c. Accurate maps showing the areas where dredging operations are taking place.

"7. Render a monthly report to the Trustees as to the status of each lease in effect, income and such other current information necessary to keep the Trustees and the Board of Conservation fully advised;

"8. Require bonds sufficient to cover reseeded, damages and should cover at least a 90-day default in monthly payments.

"In the case of Benton and Company where there is evidence to the effect that the State of Florida has not been properly reimbursed, I recommend that we direct the Director of the Board to enter into discussions with this firm in an effort to reach a settlement, it being understood that all negotiations are subject to approval by the Trustees. Unless an agreement satisfactory to the Trustees is presented within ten(10) days, I suggest that this entire matter be referred to the Attorney General for appropriate action.

"The Director of the Board of Conservation should also

be empowered to issue a "stop order" to any lessee who is in violation of his contract and to restrain further dredging until such time as appropriate corrective action has been taken to remedy the deficiency.

"If these recommendations meet with your approval, I suggest that a motion would be in order and that these instructions become an official part of the minutes of the Board of Conservation and the Trustees of the Internal Improvement Fund."

The action of said Board was that "The Board of Conservation, acting through its Director, assume responsibility and control of these leases, as set forth above, subject to the approval of the Trustees of the Internal Improvement Fund".

After discussion of procedures with regard to shell leases, and consideration of the recommendations adopted by the Board of Conservation, motion was made by Comptroller Green, seconded by Commissioner Conner and unanimously carried that the same resolution be adopted by the Trustees of the Internal Improvement Fund.

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FRANKLIN, GULF, CALHOUN, LIBERTY, GADSDEN AND JACKSON COUNTIES,

Lease renewal was requested by Florida Gravel Company, holder of four-year sand and gravel Lease No. 296-A expired January 1, 1962 which granted the right to remove sand and gravel from the Apalachicola and Chattahoochee Rivers, with royalty of 15¢ per cubic yard, monthly minimum of \$25.00, and \$500.00 surety bond.

Without objection, the Trustees authorized two-year extension of Lease No. 296-A on the same terms.

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LEE COUNTY - Request was made by Florida State Board of Conservation, through its Director, for the Trustees to enforce the performance bond of Fort Myers Shell Company with respect to the failure of the lessee-principal to plant specific dredging areas with dead shell as covenanted in the lease, notice of the default having been issued to the bond surety.

Upon motion unanimously adopted, the Trustees requested the Attorney General to take appropriate action in the event the bond surety did not perform the planting required in the lease within a reasonable time.

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MANATEE COUNTY - On December 19, 1961, Trustees' action on application of Bradenton Dredging and Shell Company for five-year shell lease effective as of June 1, 1961, covering four offshore deposits of dead shell in Manatee County was deferred to allow review of a report covering various shell leases. The applicant's account was in good standing under Shell Lease No. 61 which expired May 31, 1961, requiring royalty of 10¢ per cubic yard. The Director recommended new five-year lease with requirement of 15¢ per cubic yard royalty, \$20.00 monthly minimum, and \$2000.00 surety bond. He advised that the Department of Conservation had reviewed and approved the lease.

Upon motion unanimously adopted, the Trustees authorized a new five-year lease to Bradenton Dredging and Shell Company with requirements as recommended by the Director.

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MISCELLANEOUS

BREVARD COUNTY - File No. 1023-05-253.124. Without objection, the Trustees formally approved fill permit to Carl S. Jackson issued by the County Commissioners of Brevard County under the purview of Section 253.124 Florida Statutes, to fill lands in Section 22, Township 22 South, Range 35 East, previously conveyed by the Trustees.



BREVARD COUNTY - Without objection, the Trustees authorized two dedications requested by the State Road Department covering rights of way for State Road 528 across submerged bottoms of the Indian River in Sections 9, 10, 15, 16 and 17 of Township 24 South, Range 36 East.

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COLLIER COUNTY - Upon motion duly adopted, the Trustees formally approved the bulkhead lines established in accordance with provisions of Chapter 57-362, Laws of Florida, by the City of Naples and by Collier County, as follows: (1) bulkhead lines adopted by the City Council of the City of Naples by Resolution No. 774 adopted on October 21, 1959, and Resolution No. 889 adopted on October 18, 1961, covering a portion of the Norris property within the city limits of Naples, and (2) bulkhead lines adopted by the Board of County Commissioners of Collier County by Resolution dated November 7, 1961, located south of Naples City limits around the lands of Key Island, Inc., the petitioner. The bulkhead lines were located around the lands in Keywaydin Island in Sections 21, 22, 27, 28, 34 and 35 in Township 50 South, Range 25 East, and Sections 2, 3, 10 and 11 in Township 51 South, Range 25 East, Collier County.

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ESCAMBIA COUNTY - The Director recommended approval of Escambia County Permit to Santa Rosa County Beach Administration dated December 22, 1961, for filling 8.15 acres within the established bulkhead line, being land conveyed to Escambia County November 14, 1961 (Trustees' File No. 1000-17-253.12.). The County Permit also authorized dredging an additional 28,000 cubic yards for filling upland owned by Escambia County on Santa Rosa Island in the zone administered by Santa Rosa County Beach Administration, and inasmuch as the area to be filled was county-owned and administered for public recreational development, waiver of the yardage charge was suggested.

Upon motion unanimously adopted, the Trustees formally approved the permit granted by Escambia County to Santa Rosa County Beach Administration, and waived charge for the additional yardage requested for filling county-owned upland on Santa Rosa Island.

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MONROE COUNTY - M. Ignatius Lester, on behalf of clients who are owners of a small parcel of land on the Island of Key West containing less than 0.5 acre, applied for quitclaim or disclaimer for the reason that the parcel was separated only by a street from an area quitclaimed by the Trustees in 1951, a part of which was formerly submerged land, and there was possibility that the subject parcel was partly submerged at one time.

Upon motion duly adopted the Trustees authorized issuance of an ex-parte disclaimer for the handling charge of \$10.00.

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MONROE COUNTY- Authority was requested for refund of the amount of \$44.00 to Richard Switlik. By Deed No. 20460 dated July 29, 1953, the Trustees conveyed four parcels of submerged land in Township 65 South, Range 33 East to Stanley Switlik for \$100.00 per acre. In February 1954 the United States Bureau of Land Management surveyed and claimed as public lands of the U. S. A. Government Lot 4 in Section 26-65-33 containing 0.44 acre, being within one of the four submerged areas conveyed by Trustees to Mr. Switlik who subsequently conveyed all the submerged lands in Deed No. 20460 to his son, Richard Switlik, who purchased said Govt. Lot 4 from the United States.

Upon motion duly adopted the Trustees approved refund of \$44.00 to Richard Switlik on account of failure of title to the parcel of land conveyed by the Trustees.

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PINELLAS COUNTY - Construction of the City of Dunedin causeway to the Caladesi-Honeymoon Island project on lands granted by the

Trustees to the city had been taken over and was proceeding under operations carried on by the bond surety. It was recommended that the Trustees designate the City of Dunedin as their agent to procure and assure proper inspection of the work to be accomplished.

Upon motion by the Attorney General unanimously adopted, the Board did formally designate the City of Dunedin to act for and in behalf of the Trustees of the Internal Improvement Fund in connection with inspection of the construction of the causeway project, and directed that certified excerpt from these minutes be furnished to the City Attorney.

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PINELLAS COUNTY - Upon motion duly adopted the Trustees authorized issuance of State Permits to the following applicants, each having been granted permit from Pinellas County Water and Navigation Control Authority and having tendered the \$100.00 processing fee: (1) Wilson H. Hubbard for commercial dock on Pass-a-Grille Channel at Eighth Street and Pass-a-Grille Way, St. Petersburg Beach, and (2) Doctor's Motels, Inc., for marina on Tampa Bay at applicant's upland in Section 11, Township 32 South, Range 15 East.

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PINELLAS COUNTY - File No. 825-52-253.124. Upon motion duly adopted the Trustees formally approved Fill Permit No. DF174 granted by Pinellas County Water and Navigation Control Authority to Clara C Boffer to fill an area in The Narrows in Section 24, Township 30 South, Range 14 East and Section 19, Township 30 South, Range 15 East previously conveyed by the Trustees.

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PINELLAS COUNTY - The Trustees were requested to contribute the sum of \$13,000.00 toward the cost of a complete coastal engineering study and report covering Johns Pass and the zone affected by the pass. City of Treasure Island Resolution adopted December 19, 1961 recited that Coastal Engineering Laboratory had recommended the study which would cost \$30,000, of which the city would pay \$13,000 and Mrs. E. A. Clark, owner of islands in the bay near the mouth of the pass, offered to pay \$4,000. A study by the U. S. Army Corps of Engineers concerning navigation only was expected to begin early in 1962. The scale-model study proposed by the Coastal Laboratory for the area, well-known as unstable with severe erosion and navigation problems, would provide practical data with recommendations for establishment of bulkhead lines and design for any new land mass found desirable to maintain stability. The information would be of major interest to the State Road Department in future planning of a new bridge and approach fills and useful in dealing with problems at several other passes on the West Coast. The Director recommended participation by the Trustees in the study which appeared in the interest of the public as well as to the directly affected municipalities and private owners.

Col. Herbert Gee, Attorney Adrian Bacon, Lawrence Clark and Melvin E. Page, Jr., Mayor of Treasure Island, presented information, displayed a map of the Johns Pass area, and answered questions concerning the problems and contemplated pass improvement. It was evident to the Trustees that critical erosion and other problems of the pass affected the City of Madeira Beach, also, and cooperation by that city was needed. The Comptroller recalled that the Trustees had assisted Madeira Beach in beach preservation work. The Board also desired an expression from both cities and the Pinellas County authority that the controls indicated by the scientific study would be approved and followed in subsequent granting of permits for coastal structures, fills, et cetera.

Upon motion unanimously adopted, the Trustees directed that the City of Madeira Beach be requested to cooperate in financing the coastal engineering study of Johns Pass and that if present financial limitations prevented contribution from city funds, consideration would be given to a formal request for a loan to enable city participation in the study. Also, the Trustees directed that each of

the governing bodies be specifically requested to furnish expression concerning the proposed study and its importance to the area and to indicate its position as favorable to the controls which would be indicated by the model study.

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**POLK COUNTY** - On December 5, 1961 the Trustees authorized fill permit (No. 1672) to Dr. W. T. Simpson of Winter Haven to remove 8000 cubic yards of material from bottoms of Lake Hamilton for improvement of his upland property. However, due to the very low water level in said lake Dr. Simpson decided not to proceed with the proposed dredging, returned the permit, and authority was requested to refund the \$400.00 paid for the permit.

Upon motion duly adopted the Trustees approved refund of the permit amount.

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**ST. LUCIE COUNTY** - Fort Pierce Port and Terminal Company, holder of Contract No. 22194, represented by Col. M. A. Ramsey, requested two-year deferment for payment of the balance of the principal with payment of regular contract interest to be made on the installment dates. The total purchase price for 99.03 acres in the original contract was \$62,289.87 plus 6% interest. The sixth payment of \$5190.82 principal and \$810.03 interest became due January 2, 1962. The sum of \$39,575.87 had been paid, the account was in good standing, Deed No. 22194-A conveyed 9.83 acres of the original contract area leaving 89.2 acres, the unpaid principal being \$25,954.10 plus 6% interest from this date. The applicant indicated that the two-year moratorium would enable it to complete transactions which would enable payment in full at the end of that period.

Upon motion by Mr. Green seconded by Mr. Ervin, the Trustees granted the two-year moratorium on payment of the installments of principal and waived requirement of penalty interest by reason of the quasi-public purposes of the port project.

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**VOLUSIA COUNTY** - Authorization was requested for refund of \$538.36 to Anderson C. Bouchelle, holder of Contract No. 21649 issued September 11, 1957, for purchase of 172.7 acres of marsh land. On November 12, 1957, the Trustees authorized credit given at the unit price, at time of issuance of deed, for all portions unfilled and planned to remain public water areas in the development plans. Mr. Bouchelle made all payments due and submitted plan showing 19.7 acres to be left as a public water area, which reduced the contract area and contract payment so that the sums paid exceeded the amount due for deed covering the total of 153 acres to be conveyed pursuant to the original contract.

Upon motion adopted without objection, the Trustees authorized refund of \$538.36 to Mr. Bouchelle.

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**TRUSTEES' OFFICE** - Upon motion by Mr. Larson duly adopted, the Trustees authorized purchase of one IBM electric typewriter at approximately \$425.00 for Trustees' Auditing Division, and that the old typewriter be retained for certain office use.

**TRUSTEES' OFFICE** - Upon motion by Mr. Larson duly adopted, the Trustees authorized purchase of one serial Land Atlas of Charlotte County from J. M. Smedley-Publisher, Inc., at a cost of \$350.00 less state discount.

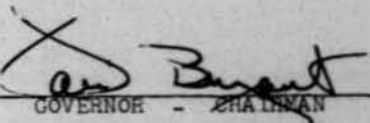
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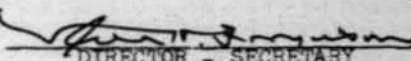
**TRUSTEES' FUNDS** - Upon motion by Comptroller Green adopted without objection, the Trustees made available a loan in the amount of \$2000.00 from Trustees' funds for payment for work done on the Cabinet airplane.

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Upon motion duly adopted the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
January 9, 1962

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Ferris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

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Van H. Ferguson

\_\_\_\_\_  
Director-Secretary

Upon motion duly adopted the minutes of the meeting held on January 9, 1962 were approved as presented.

#### LAND SALES

MONROE COUNTY - File No. 1029-44-253.12. On November 14, 1961 the Trustees considered offer of \$300.00 per acre, the established price, from Mrs. Myrtle Williams, abutting upland owner, for purchase of a tract of bay bottom land in Bogie Channel east of and adjacent to a part of Government Lot 4, Section 25, Township 66 South, Range 29 East, 1.09 acres at Big Pine Key. The land was advertised for objections only in the Key West Citizen and proof of publication was filed with the Trustees.

On the sale date protest was made by telephone that sale would interfere with a boat channel used by adjacent owners, and the Director recommended no sale until further consideration of the protest.

Upon motion duly adopted the Trustees deferred action on sale of the advertised parcel.

MONROE COUNTY - File No. 1032-44-253.12. On November 14, 1961 the Trustees considered offer of \$377.00 per acre, the established price, from Joseph Giovannelli, abutting upland owner, for purchase of a parcel of submerged land in Florida Bay north of and adjacent to Government Lot 5, Section 20, Township 65 South, Range 34 East, 6.0 acres at Grassy Key. The land was advertised for objections only in the Key West Citizen and proof of publication was filed with the Trustees.

Objections were filed by the State Road Department, Margarita L. Mitchell, and Jack A. Saunders for client, Mario Lacedonia.

1-9-62

Upon motion duly adopted the Trustees deferred action for study and information concerning the objections filed.

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MONROE COUNTY - File No. 1039-44-253.12. On November 21, 1961 the Trustees considered offer of the established price of \$300.00 per acre from Donald B. Fraser, abutting upland owner, for purchase of a parcel of submerged land in the Bay of Florida in Section 7, Township 63 South, Range 38 East, 0.39 of an acre at Plantation Key. The land was advertised for objections only in the Coral Tribune, proof of publication filed with the Trustees, and no protest to the sale was received.

Without objection, the Trustees confirmed sale of the advertised parcel to the upland owner.

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MONROE COUNTY - File No. 1046-44-253.12. On November 28 upon consideration of application by Fishermen's Hospital, Inc., riparian upland owner, for conveyance of a parcel of submerged land in Boot Key Harbor south of and adjacent to a part of Government Lot 1 in Section 9 and a part of Government Lot 3 in Section 10, all in Township 66 South, Range 32 East containing 0.70 of an acre at Marathon, Key Vaca, the Trustees indicated approval of dedication for hospital uses only for \$1.00 token payment with provision for reversion, subject to advertisement for objections only. Notice was published in the Coral Tribune, Key West, Florida, and no protest to the sale was received.

The Governor stated that caution should be taken in examining each application to be sure it represented a genuine non-profit corporation. Past grants to hospitals were mentioned and the Board directed that the staff consider all factors carefully in making recommendations on such applications for grants of state lands.

Upon motion duly adopted the Trustees approved conveyance to Fishermen's Hospital, Inc., for hospital uses only, by dedication instrument with reversion clause in event of three consecutive years non-use.

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PALM BEACH COUNTY - File No. 994-50-253.12. On November 14, 1961 the Trustees considered application by Bloxham Land Company, et al, abutting upland owners, for purchase of a tract of submerged land in Lake Worth in Sections 11 and 14, Township 44 South, Range 43 East, within the established bulkhead line. The original application area of 13.561 acres was revised and 13.148 acres was advertised for objections only in the Palm Beach Post, proof of publication filed with the Trustees, and no protest was received. Central and Southern Florida Flood Control District waived objection.

Upon motion duly adopted the Trustees confirmed sale of the advertised parcel for the appraised value of \$59,590.00.

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PASCO COUNTY - V. M. Clark, Jr., holder of Contract No. 22951 for purchase of 93 acres of submerged land at Hudson in Pasco County, requested deed to 13.15 acres, more or less (about 14% of the contract area). The total purchase price was \$13,950.00 plus interest of which the sum of \$4,831.24 was paid, and he offered to make immediate prepayment of \$500.00 on the balance. Mr. Clark, who suffered injury in an accident before the contract was received, had made commitments on the parcel sought for deed and reported that approximately 49 acres of the 80 acres to remain under contract was filled and accessible by road. In view of the circumstances and that the contract had been enhanced by filling and was well secured, the Director recommended authorization of the deed requested subject to payment of the \$500.00 to be credited on the next contract payment due March 30, 1962, and with requirement that the plat to be filed by Mr. Clark include dedication of the canals and water areas. More than one-fourth of the parcel was shown on

the improvement plan as water areas which should be kept public.

Attorney General Ervin suggested that the applicant be asked to give assurance of access to the remainder of the property.

Upon motion by Mr. Ervin duly adopted the Trustees authorized issuance of deed to the 13.15 acres, more or less, in Section 33, Township 24 South, Range 16 East, subject to prepayment of \$500.00 to be credited on the next contract payment, with requirement that the plat include dedication for public use of water areas within the parcel deeded, and with requirement that Mr. Clark give satisfactory assurance of provision for access to the filled portion of the property remaining under contract.

#### APPLICATIONS FOR LAND

POLK COUNTY - The City Commission of Lakeland, Florida, by Resolution No. 685 adopted December 18, 1961, requested dedication of approximately two acres of submerged land along the southerly shore of Lake Parker adjacent to land in Sections 16 and 17, Township 28 South, Range 24 East, for filling and expanding the city's electric plant.

Upon motion adopted unanimously the Trustees authorized dedication with provision that the area should be used and administered for municipal purposes only by the City of Lakeland, to encompass the submerged parcel and existing upland which was lakeward of the United States meander line.

SARASOTA COUNTY - The City of Sarasota by Resolution adopted December 11, 1961, requested grant or sale of a 13.78 acre parcel of submerged land in Section 25, Township 36 South, Range 17 East in Sarasota Bay northwest of and adjacent to a city-owned parcel held for public purposes on the northerly side of Ringling Causeway in the vicinity of Bird Key. The parcel would accommodate spoil from construction of the Intracoastal Waterway and allow improvement of the city's offshore parcel.

Upon motion duly adopted the Trustees approved dedication for municipal and public purposes under supervision and control of the city with provision for reversion when no longer needed for said purposes.

#### MISCELLANEOUS

OSCEOLA COUNTY - The City of St. Cloud by Resolution adopted January 2, 1962, requested modification of the public purpose clause in County of Osceola Deed No. 49-5 Cor. insofar as the S $\frac{1}{2}$  of SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 10, Township 26 South, Range 30 South was affected, so that the five-acre parcel might be conveyed to the St. Cloud Hospital Foundation, a non-profit corporation, for hospital purposes. The parcel, adjacent to ten acres owned by the hospital upon which a hospital had been constructed with public funds and Federal aid, was part of a 315-acre tract conveyed October 14, 1935 under provisions of Chapter 14572, Laws of Florida, Acts of 1929, to the City of St. Cloud for use as a municipal golf course and public airport.

The Trustees discussed the original conveyance, modifications previously granted, and on the recommendation of the Attorney General asked for a report from the city concerning its present and intended use of the remainder of the 315-acre tract.

Upon motion by Mr. Larson adopted without objection, the Trustees authorized issuance of appropriate instrument to modify the public use clause to permit transfer of title to the St. Cloud Hospital Foundation with limitation of use to hospital purposes only, for \$10.00 handling charge.



PINELIAS COUNTY - Upon motion duly adopted the Trustees authorized issuance of State Permit to the City of St. Petersburg for reconstruction of city pier at the end of Eighth Avenue at Pass-a-Grille Beach for processing fee of \$100.00.

TREASURE OR SALVAGE LEASES - Advisory Committee. To serve as an Advisory Committee to assist the Trustees concerning policy, lease requirements and regulations, to review and make recommendation on applications for permits or leases for salvage operations in territorial waters of Florida and to advise regarding preservation of sunken abandoned vessels and recovered relics, Governor Bryant appointed the following: Dr. Charles W. Tebeau of the University of Miami, Dr. Robert H. Fuson of the University of South Florida, Dr. Charles H. Fairbanks of Florida State University, Dr. John M. Goggin of the University of Florida, and Dr. J. C. Dickinson, Director of Florida State Museum, University of Florida. The Director, serving as Chairman pending organization, would distribute to the Committee a brief review of regulations and policy heretofore followed together with a summary of immediate problems and available data concerning areas for which lease applications were pending. It was recommended that the Trustees authorize the statutory per diem and travel allowance on forms acceptable to the Comptroller, each to be submitted to the Director for review and approval.

Upon motion unanimously adopted the Trustees approved and confirmed the establishment of the Advisory Committee on Marine Salvage and authorized per diem and travel allowance as recommended for the members in the performance of their service to the state.

CAPITAL CENTER - Mrs. Gladys A. Cornish, holder of Lease No. 1267, desired to vacate the property at the northwest intersection of Adams and Gaines Streets on or before January 15, 1962, and requested waiver of the 90-day advance notice requirement in the lease. The Director advised that the building was in poor condition and unsuitable for occupancy, lease rental was paid through December 1961.

Without objection the Trustees waived the 90-day notice upon payment by the lessee of rental through January 15, 1962, and upon motion by Mr. Green duly adopted the Board authorized advertisement of the building for sale.

Also, the Trustees instructed the Staff to investigate whether the building leased to the Leon County Museum was being used other than for storage and to look into the possibility of use by some other state agency or advertisement for sale.

TRUSTEES' OFFICE - Upon motion duly adopted the Trustees authorized purchase for the Trustees' office of two Shaw-Walker four-drawer legal-size file cabinets without lock, color green, at \$133.00 less 15%, or net price of \$113.05 each.

TRUSTEES' BUILDING - The Director recommended that sufficient fuel be placed in the tank at the new building to stabilize it and allow testing the heating equipment, and reported that four firms submitted bids for furnishing 1000 gallons of fuel, the lowest being from Premium Oils at 14.95¢ per gallon.

Upon motion duly adopted the Trustees authorized purchase of 1000 gallons from the low bidder.

#### SUBJECTS UNDER CHAPTER 18296

Upon motion duly adopted the Trustees approved Report No. 803 listing one bid for sale of Murphy Act land, and authorized execution of deed pertaining thereto.

HILLSBOROUGH COUNTY - The Jewish Community Center of Tampa, a non-profit corporation, requested waiver of the public purpose clause contained in Hillsborough County Deed No. 03 issued under Chapter 21929, Acts of 1943, to the Board of County Commissioners of Hillsborough County which conveyed Lot 2, Block "G" Urania Subdivision, and other Murphy Act lands. The county on September 25, 1959 conveyed the lot to the Jewish Community Center, a United Fund Agency offering its facilities to the public generally, and in order to finance construction of a building on the site, the Center required release of the public purpose clause.

The Director recommended that recognition be given to the quasi-public use and that new conveyance be made to the county pursuant to provisions of Chapter 21684, Acts of 1943 (Section 192.38 F. S. ) for \$10.00 without restrictive use clause and without reservation for state road right of way, the parcel being in the city and the State Road Department having relinquished all of the road right of way reservation contained in the original deed.

Governor Bryant questioned the wisdom of releasing public use restrictions and there was discussion by the members, the consensus of the Board being that approval for the release might be granted.

Upon motion by Attorney General Ervin seconded by Mr. Larson and adopted, the Trustees approved waiver of the public purpose clause as to said Lot 2, as requested by applicant.

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NASSAU COUNTY - Thomas J. Shave Jr., on behalf of Florida Public Utilities Company, applied for power line easement 50 feet wide, approximately 125 rods long, across unsurveyed salt marsh in Sections 12 and 14, Township 2 North, Range 27 East, including two crossings of unmeandered Lofton Creek in said Section 14. Inasmuch as the creek was in an unsurveyed area there was no official classification that it was navigable public fresh water over sovereignty land, the whole of the unsurveyed area including the creek appearing to have vested in the State of Florida under the Murphy Act.

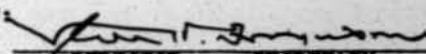
The Staff recommended easement for 50% per rod, uniform with similar easements not exceeding 50 feet wide across Murphy Act lands, and that instrument be drawn to include easement insofar as the interest of the state might exist by reason of sovereignty character of the submerged lands in any unmeandered creeks crossed by the power line easement between State Roads 5 and 200 (Lofton and Garner Creeks and Elwood Branch).

Without objection the Trustees authorized issuance of easement with provisions recommended by the Staff, for total charge of \$62.50.

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Upon motion duly adopted the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
January 10, 1962

The Trustees of the Internal Improvement Fund held a special meeting on this date in the office of the Governor in the Capitol.

Present: Farris Bryant  
J. Edwin Larson  
Richard W. Ervin

Governor  
Treasurer  
Attorney General

The Trustees met with the Governing Board of the Southwest Florida Water Management District, and its Chairman Alfred A. McKethan, for the purpose of being informed of the action of the District regarding the report of the U. S. Army Engineer District, Jacksonville, entitled "Comprehensive Report on Four River Basins, Florida" dated November 30, 1961.

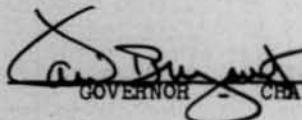
The District Board of Governors had considered proposed comments at a morning meeting, and the members of the Cabinet were furnished with copies of the tentatively approved comments which were explained and discussed by Herbert C. Gee, serving as consulting engineer to the District Board of Governors.

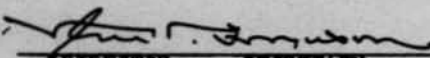
Governor Bryant thanked the Board of Governors for the expeditious way in which they had met their responsibility and assured them that the Southwest Florida Water Management District would receive full consideration and cooperation from the State Board of Conservation and from the Trustees of the Internal Improvement Fund. Messrs Ervin and Larson expressed concurrence.

Mr. Larson moved that the Trustees should write a letter to the Board of Engineers for Rivers and Harbors to inform them that the Trustees had approved of the comments of the District Board of Governors and commended the U. S. Army Engineer District, Jacksonville, for their efforts in expediting the submission of their report, "Comprehensive Report on Four River Basins, Florida".

There being a quorum of the Trustees present and no dissenting vote, the motion was adopted..

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture
	Van H. Ferguson	Director-Secretary

Upon motion duly adopted the Trustees approved the minutes of the regular meeting on January 9 and the special meeting on January 10, 1962.

#### APPLICATIONS FOR LAND

MANATEE COUNTY - File No. 1068-41-253.12. Lewis J. Barolo, the abutting upland owner represented by Walter S. Hardin Realty Company, Inc., offered the appraised value of \$400.00 per acre for a parcel of submerged land in Sarasota Bay in Sections 2 and 11, Township 35 South, Range 16 East, 13.335 acres within the established bulkhead line.

Upon motion duly adopted the Trustees authorized advertisement of the submerged land for objections only.

MONROE COUNTY - File No. 914-44-253.12. Karl O. Thompson, the abutting upland owner represented by C. G. Bailey, offered the established value of \$300.00 per acre for a 4.2 acre parcel of submerged land in the Straits of Florida in Section 13, Township 62 South, Range 38 East, Key Largo.

Upon motion duly adopted the Trustees authorized advertisement of the parcel for objections only.

SARASOTA COUNTY - File No. 1067-58-253.12. Gene M. Stirling et al, abutting upland owners represented by Thomas F. Icard, made application for a parcel of submerged land in Little Sarasota Bay in Section 18, Township 37 South, Range 18 East, containing 1.84 acres landward of a bulkhead line re-established by the Sarasota County Water and Navigation Control Authority and formally approved by the Trustees on August 8, 1961. The land was appraised \$500.00 per acre, a total value of \$920.00 for the parcel.

Upon motion duly adopted the Trustees authorized advertisement for objections only.

DADE COUNTY - File No. 1034-13-253.12. Gerson Blatt and Alfred Lewis as Trustees, riparian upland owners represented by Jesse H. Yarborough, applied to purchase 36 acres, more or less, of submerged and tidal land within the established bulkhead line at the southern tip of Key Biscayne riparian to applicants' upland Tracts E and F of Mashta Island Subdivision, Plat Book 60, Page 43. County Resolution No. 5571 adopted August 2, 1960, authorized dredging and filling the parcel, however applicants were not able to establish ownership. The Attorney General's office reviewed the file and concluded that the state sovereignty rights in the offshore area were superior to private claim. Trustees' appraiser reported a value of \$2886.00 per acre.

Mr. Yarborough contended that his clients owned the land, however to clarify a complex title problem and to avoid long and expensive litigation they felt that a reasonable offer would be to pay the state \$250.00 per acre for the area within the bulkhead line and quitclaim to the state all outside the bulkhead line which they claimed title. The Trustees declined the offer. Mr. Ervin stated that the question was whether the Board might make some concession in price because of the long and seriously contested claim of the applicants; that the Attorney General's office was firm in its opinion that it was state land and would maintain that position in case of litigation.

Upon motion by Commissioner Conner adopted without objection, the Board referred the matter to a special committee appointed by the Governor, composed of the Attorney General, the Commissioner of Agriculture and the Comptroller.

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BAY COUNTY - File No. 1069-03-253.12. Bulkhead Line; Disclaimer; Application to Purchase.

(a) Referred to the Trustees for approval was the bulkhead line fixed by City of Panama City Ordinance No. 654 adopted November 14, 1961, located in St. Andrews Bay in front of the property of Atlanta and St. Andrews Bay Railway Company and easterly of the City Marina. The bulkhead map was examined and it was noted that the area was for industrial development.

Upon motion duly adopted the Trustees formally approved the bulkhead line established by the City of Panama City.

(b) The Director recommended issuance of disclaimer under provisions of Section 253.129 Florida Statutes to Atlanta and St. Andrews Bay Railway Company, adjacent upland owner, covering 9.46 acres in Section 8, Township 4 South, Range 14 West, filled in 1935 and 1949 by applicant's predecessor in title.

Without objection the Trustees authorized issuance of the disclaimer for processing charge of \$10.00.

(c) File No. 1069-03-253.12. Atlanta and St. Andrews Bay Railway Company, abutting upland owner, offered \$50.00 per acre or total \$365.50 for 7.31 acres of submerged land in St. Andrews Bay in Section 8, Township 4 South, Range 14 West in the City of Panama City, Bay County, within the bulkhead line in "a" above. Taking into consideration the water depths and cost of filling, the Trustees' appraiser reported a nominal value of \$5.00 per acre. The intended extension under consideration was for a particular operation for applicant's lessee to accommodate a specific installation and industrial operation and no appreciable enhancement of adjacent upland was indicated.

Upon motion duly adopted the Board authorized advertisement of the parcel for objections only based on the \$50.00 per acre offer.

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PINELLAS COUNTY - Mrs. Ethel E. King, riparian upland owner represented by Ford L. Thompson, offered the appraised value of \$600.00 per acre for 15 acres, more or less, of submerged St. Joseph Sound land adjacent to two islands known as "Sand Keys" within the bulkhead line fixed by Pinellas County Water and Navigation Control Authority and approved by the Trustees September 5, 1961. The bulkhead line was understood to be the subject of appeal or other litigation.

On September 5 the Trustees also considered Mrs. King's application to fill within the bulkhead line and to purchase the area and heard objections. The proposal was treated as an application for presentation to the County Authority for its approval of the purchase and filling pursuant to advertisement, hearings and examiner's report on a former application encompassing the fifteen acres applied for.

Trustees approved the purchase and filling subject to legal requirements being met and the Attorney General working out the same with the County Authority.

The applicant proposed to have the islands and submerged area designated as an alternate spoil area and secure filling with spoil from excavation of the Intracoastal Waterway, Mr. Thompson stressing the time element in the waterway dredging work.

Objectors had been notified of consideration on this date and the City Commission of Dunedin, represented by special counsel Raymond Argyros, protested any filling and enlargement of the islands. City Resolution No. 871 adopted January 15, 1962 requested perpetual dedication of all submerged lands inside of the bulkhead line below the high water mark of the islands, and Resolution No. 872 petitioned the Trustees to deny the sale. W. Turner Wallis, engineer, made further presentation of objections, pointing out the city's expressed request at the time of establishment was that the bulkhead line would preclude any creation of land between the existing mainland shore and the easterly limits of the Intracoastal Waterway and that the records at the county level showed no plans for development by the applicant. Creation of unsightly raw spoil area would damage owners of mainland property.

After much discussion it was suggested that until the county granted permit to fill, sale of the submerged land would be of no value to the applicant, and action by the Trustees should be postponed.

Upon motion duly adopted the Trustees deferred decision on sale until action by the Pinellas County Water and Navigation Control Authority on the pending application for fill permit.

#### MISCELLANEOUS

ST. JOHNS COUNTY - Lease. On November 7, 1961 the Trustees authorized new 25-year leases to James Appell to supersede Lease Nos. 1215 and 1323, also lease of two additional parcels, all of the areas being west of the waterway. Provisions recommended by Florida Game and Fresh Water Fish Commission were imposed, together with a cancellation clause upon six months notice and payment to the lessee for improvements. Mr. Appell advised that a portion of the area was laid out for campsites, a number of persons planned to erect cabins and prepay rental for ten or more years, that to make the area useful as a hunting, fishing and boating resort large sums would be expended. He sought modification of the six month cancellation provision to make it possible to finance the development and improvements.

Mr. Larson said the area badly needed developing and expressed a desire not to handicap the project. Governor Bryant favored modification of the provision as to any parcel where substantial improvement would be made.

Upon motion duly adopted the Trustees agreed to modification of the lease cancellation clause by the substitution of a provision whereby the Trustees reserved unto themselves the right to cancel as to any unimproved or undeveloped areas upon six-months notice to lessee.

MARTIN COUNTY - Martin Memorial Hospital, supported by City of Stuart Resolution No. 713, requested authority to take 7000 cubic yards of material from bottoms of the St. Lucie River in front of the hospital to raise its upland property for improvement and enlargement of the facilities. Information was that the hospital was a non-profit corporation, a general hospital taking care of citizens of Stuart and the vicinity, and in recognition of the quasi-public aspect the Director recommended approval and waiving of the usual yardage charge.



Without objection, the Trustees authorized permit without charge for taking the material requested for improvement of the hospital upland, subject to approval of U. S. Engineers.

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PALM BEACH COUNTY - File No. 909-50-253.124. Upon motion duly adopted the Trustees formally approved the fill permit issued to Fay C. Lavan by the Town of Palm Beach for filling submerged lands conveyed by the Trustees in Section 11, Township 44 South, Range 43 East.

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OKALOOSA COUNTY - Upon motion adopted without objection the Trustees authorized issuance of State Permit to Captain Mel Mason for commercial dock in Choctawhatchee Bay at Destin for the standard \$100.00 charge.

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SARASOTA COUNTY - West Coast Inland Navigation District on behalf of the United States applied for perpetual easements covering certain spoil areas in Sarasota and Little Sarasota Bays. Dewey Dye, attorney for the district explained that the situation was critical, that federal funds for waterway dredging depended upon spoil areas being provided immediately, that request to Sarasota County for revision of the bulkhead line to allow placing spoil on submerged areas adjacent to uplands had not been granted and the only alternative was to put the material out in the bay in spoil islands.

As to Spoil Areas S-32-Alternate, S-42-Alternate, S-43, and S-44-Alternate, the Staff recommended perpetual easement for maintenance spoil areas with commitment that Trustees make no other easements, leases or sales of the areas. However the Staff did not recommend granting easements for construction of spoil islands in the other requested areas without requirement of written consent of the directly affected riparian upland owners and compliance with provisions of the statutes.

The Attorney General expressed the feeling that private owners of upland would be deprived of view and other riparian rights, damaged without compensation as some of the spoil areas were very close to shore, that the State Road Department obtained consents from owners and that authority to regulate navigation and waterway improvement did not give the right to fill without consent of upland owners. The members were firm in decision that the District should obtain written consents from riparian owners.

Upon motion by the Attorney General unanimously adopted, the Trustees authorized issuance of perpetual spoil easements covering the four areas recommended by the Staff, and as to the other areas applied for by West Coast Inland Navigation District easements would be granted subject to any existing private riparian rights and compliance by the District with statutory requirements relating thereto.

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TRUSTEES' OFFICE - Upon motion duly adopted the Board authorized the following for the new Trustees' office building: (1) necessary shelving to be ordered direct from the Raiford Prisons Division; (2) purchase of one Shaw-Walker sectional interlocking file as described on agenda, net cost \$215.00, and purchase of one Shaw-Walker executive chair with net cost of \$110.07; and (3) advertisement for furnishings and equipment for the new building, results of the bids to be submitted to Trustees for approval.

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CAPITOL CENTER - Secretary of State Tom Adams, Attorney General Ervin and Comptroller Green, the committee appointed by the Governor to work with the City of Tallahassee on Capitol Center development planning, reported on their meeting with city planning and zoning authorities. Mr. Adams reviewed matters of concern to the Committee, including a long-range development plan calling for expansion beyond the limits of the Taylor plan on the south and east, desired legislation to guide development and provide appropriations for purchase of property for an adequate

Capitol Center, cooperative planning concerning traffic problems, property which might be desired for state use, and assisting the city in its urban renewal program.

A situation of some urgency was discussed regarding property in the block between Bronough and Duval Streets west of the new office building and recommendation was made that the Trustees authorize appraisals made and acquisition on negotiated basis.

H. Pierce Ford stated that the city Planning Board wanted to protect the Capitol Center from encroachment of undesirable commercial development. He asked for authorization to proceed with appraisal of the entire block, starting with the corner lot where the city had turned down an owner's request for commercial zoning.

Upon motion by Mr. Larson duly adopted, the Trustees accepted the report of the committee, and authorized an appraisal of the block west of the new state office building now under construction.

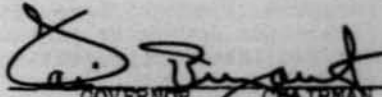
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SUBJECTS UNDER CHAPTER 18296

Upon motion duly adopted, the Trustees approved Report No. 804 listing one bid for sale of Murphy Act land and authorized execution of deed pertaining thereto.

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Upon motion duly adopted the Trustees adjourned.

  
GOVERNOR      CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
January 23, 1962

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture
	Van H. Ferguson	Director-Secretary

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Upon motion duly adopted the minutes of the meeting on January 16, 1962 were approved.

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DADE COUNTY - On October 31, 1961 the Trustees considered the following three applications for purchase of land in the City of Islandia and authorized advertisement for objections only. Notices showing January 23 sale date were published in the

1-23-62

Homestead News, Homestead, Florida, and proof of publication was filed with the Trustees.

File No. 441-13-253.12. R. L. Round, abutting upland owner, represented by William C. Martin, offered the appraised price of \$235 per acre for 35.99 acres of submerged land in the Atlantic Ocean in Section 22, Township 58 South, Range 41 East, Old Rhodes Key.

File No. 1020-13-253.12. Helms Construction Company, abutting upland owner represented by G. A. Crawshaw, offered the appraised price of \$282 per acre for 24.5 acres of submerged land in Biscayne Bay in Sections 15 and 16-58-41, Reid Key.

File No. 1022-13-253.12. Harry Kendel et al, abutting upland owners represented by G. A. Crawshaw, offered the appraised price of \$245 per acre for 66.39 acres of submerged land in Biscayne Bay in Sections 28 and 29-58-41, Little Totten Key.

Deferment until February 20th was requested by both the City of Islandia and Dade County, and the parties having interest as shown by the records were notified.

Without objection the Trustees deferred consideration of the sales until February 20th.

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PINELLAS COUNTY - Deferred January 16, 1962 and presented for further consideration on this date was application by Mrs. Ethel E. King to purchase 15 acres, more or less, of submerged St. Joseph Sound land within the perimeter of the established bulkhead line fixed for two islands aggregating approximately 11.66 acres in Section 22, Township 28 South, Range 15 East in the City of Dunedin. Information was that Pinellas County Water and Navigation Control Authority on January 18, 1962 denied Mrs. King's application for dredge and fill permit.

Comptroller Green recommended against sale in view of the opposition of the City of Dunedin, County Authority and many property owners and the fact that no satisfactory development plan was submitted. He stated that the problems should be resolved at the local level and that in many sales the Trustees had insisted on satisfactory development plans.

Speaking for the applicant, William M. MacKenzie reviewed the history of Mrs. King's applications for bulkhead line, sale and fill permit, discounted charges of damage to other property, displayed a map showing other spoil areas which could be used for recreation purposes, and reported that investigation disclosed no significant natural marine resources in the application area.

Howard P. Rives, attorney for the City of Dunedin which had protested the bulkhead line, explained the city's objections to enlargement of the islands and urged the Trustees to prevent encroachment upon public water areas in the absence of any approved improvement plan. Raymond A. Argyros represented protesting upland owners.

Attorney General Ervin expressed doubts as to the equity of refusing to allow a riparian owner to shape up his islands within an established bulkhead line unless damage to other properties was clearly shown or the area was required for a definite public purpose.

Motion was made by the Attorney General, seconded by Mr. Larson and adopted, that sale be deferred for Trustees' Engineer Kidd to make an examination on the ground and consult with city and county officials, applicant and her engineers, and Mr. Argyros as attorney for protesting upland owners, with a view toward working out satisfactory development plans for consideration by the Trustees.



MONROE COUNTY - File No. 1076-44-253.12. Harold B. Todd and wife, abutting upland owners represented by G. A. Crawshaw, offered the established value of \$300.00 per acre for a parcel of submerged land in Buttonwood Sound in Section 28, Township 61 South, Range 39 East, 0.33 of an acre at Key Largo.

Upon motion by Mr. Larson duly adopted, the Trustees authorized advertisement of the parcel for objections only.

#### BULKHEAD LINES

BROWARD COUNTY - Resolution No. 8331 adopted November 21, 1961 by the City Commission of Fort Lauderdale requested reconsideration of Trustees' action of October 11, 1960 withholding approval for a bulkhead line fixed by the city May 3, 1960 (Ordinance C-1645) 150 feet easterly of the 3.3 acres owned by Lauderdale Yacht Club at the east end of the island west of Intracoastal Waterway between Rio Cordova and Cerro Gordo River. Disposition of spoil from dredging to improve navigation and boat basin appearing to be the only basis for the bulkhead line and extension of the upland having been vigorously protested by residents of the zone, the Staff recommended rejection of the bulkhead line in the waters of Stranahan River, already occupied by extensive artificial fills. Attention was directed to a number of objections on file charging injury to private property and confiscation of the limited water area available for recreation in the zone, and that a marina was proposed out in the river.

William Gundlach protested on behalf of Rio Vista Isles and Lauderdale Harbors Improvement Associations that extension of land would depreciate property values in old, well-developed residential areas but there was no objection to dredging for navigation improvement with the spoil material deposited elsewhere.

Malcolm Watson for the Lauderdale Yacht Club represented that facilities and activities of the club were in the public interest, that cost would prohibit carrying the spoil elsewhere and that the Club would agree to purchase and would accept a condition that no building could be erected on added land. The Yacht Club in 1939 obtained a permit from U. S. Engineers to do the dredging and filling but having failed to make the fill during the 18 years prior to passage of Bulkhead Act was subject to requirement of a bulkhead line and purchase of the submerged land. The City appeared to have approved the filling in 1959 by entering into a "Guaranty" agreement requiring posting of a bond by the Yacht Club to guarantee that it would fill out to the proposed bulkhead line.

After expressions from the members that the application did not appear unreasonable in view of approval by the city and the quasi-public features of the yacht club, motion was made by Commissioner Conner, seconded by Attorney General Ervin and adopted that the Trustees formally approve the bulkhead line as fixed by City of Fort Lauderdale Ordinance No. C-1645 dated May 3, 1960.

BROWARD COUNTY - Referred to the Trustees for approval was bulkhead line fixed November 1, 1961 by City of Oakland Park Resolution No. 273 for a portion of the north fork of Middle River in front of Block 4, Simpson Place in Section 26, Township 49 South, Range 42 East, Plat Book 9, page 53. The line approximated the junction of open water and mangrove on the northerly side of the river, providing between said line and existing seawalls along the southerly shore (which was the northerly limit of Wilton Manors) open public water 80 feet wide which met the requirements of Central and Southern Florida Flood Control District. Transcript of local hearing showed vigorous opposition by residents of the City of Wilton Manors. Objections were filed by that city and, on behalf of himself and several owners, by William G. Thorenz who present on this date.

Upon motion by Mr. Larson duly adopted, the Trustees postponed action on the bulkhead line.

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HILLSBOROUGH COUNTY - Referred to the Trustees for approval was the bulkhead line for Hillsborough Bay and McKay Bay fixed by Resolution of Hillsborough County Port Authority December 5, 1961. The District secured advice of the State Board of Conservation and a consulting engineering firm and held five hearings. The Staff recommended the lines which were planned for rather large expansion of Port District, shipping and industrial facilities and for conservative expansion in the portion of McKay Bay which was residential in character. The submerged lands involved were owned by the Port Authority under legislative grant made in 1945. The upper portion of McKay Bay (south of Adamo Drive) was set aside by one bulkhead line at request of upland owners whose plans of development were not defined but whose acquisitions of submerged land, filling and construction would be subject to approval by the Port Authority.

Upon motion by Mr. Larson seconded by Mr. Ervin and duly adopted, the Trustees formally approved the bulkhead line as established by Hillsborough County Port Authority December 5, 1961 in Hillsborough Bay and McKay Bay.

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#### MISCELLANEOUS

DADE COUNTY - Bay Lands, Inc., riparian upland owner, applied for quitclaim deed covering 2.03 acres filled pursuant to Agreement No. 1102 dated April 19, 1957 between the Trustees and applicant and for which full payment was made as fixed by the Trustees February 26, 1957. The filled area extended land of said owner in Government Lot 3 of Section 32, Township 52 South, Range 42 East and was within the bulkhead line fixed for the Biscayne Bay frontages.

Upon motion duly adopted the Trustees authorized issuance of quitclaim deed for \$10.00 handling charge.

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DADE COUNTY - Upon motion duly adopted the Trustees authorized issuance of State Permit to Southern Yacht Basin, Inc., for marina at applicant's upland in Block 4 South, City of Miami, on the Miami River, for processing fee of \$100.00.

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LEE COUNTY - On December 19 the Trustees authorized sale to A.W. Wilson of 2923 cubic yards of material to be dredged from Estero Bay subject to approval of Salt Water Fisheries Division of the State Department of Conservation. Estimate of material needed was subsequently reduced to 765 cubic yards at cost of \$38.25 and the Fisheries Division waived objection.

The Trustees accepted the report and confirmed sale of the reduced amount of material.

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PALM BEACH COUNTY - Florida Power and Light Company applied for easement 15 feet wide for electric distribution line across the N $\frac{1}{2}$  of N $\frac{1}{2}$  of Section 29, Township 43 South, Range 37 East, to serve the new mill of Sugar Cane Growers Cooperative. Trustees' Section 29 was used by the Division of Corrections which approved the proposed easement.

The Director recommended \$25.00 charge since the easement was for distribution rather than for power transmission.

Upon motion duly adopted the Trustees authorized issuance of the easement for \$25.00 charge with provision in the instrument for termination when the easement was no longer used for the specific purpose.

PALM BEACH COUNTY - Upon motion duly adopted, the Trustees granted perpetual easement to Florida Inland Navigation District on behalf of the United States through the open waters of Lake Worth for an additional right of way for channel improvements covering a triangular shaped parcel in Sections 9, 15, 16, 21 and 22 of Township 42 South, Range 43 East, Palm Beach County.

PINELLAS COUNTY - The Director recommended approval of Pinellas County Water and Navigation Control Authority Permit No. DF-183 to Carl Stig and wife for dredging in the Intracoastal Waterway and filling applicants' submerged land adjacent to uplands in Section 9, Township 29 South, Range 15 East, within the established bulkhead line in Clearwater Harbor. Representatives of the City of Clearwater were present in behalf of the filling, which was coordinated with work contemplated by the city.

Upon motion by Mr. Green duly adopted, the Trustees formally approved the permit for dredging and filling granted by Pinellas County Water and Navigation Control Authority.

POLK COUNTY - On December 19, 1961, by action inadvertently omitted from the minutes the Trustees granted permits for \$25.00 each on application by Keith G. Robison for Jere L. Stambough, H. W. James, Harry C. McCollum and George K. Holtsclaw for dredging fill material from Lake Ariana, subject to approval of the City of Auburndale and the Game and Fresh Water Fish Commission.

Upon motion duly adopted, the Trustees confirmed issuance of the permits based upon approvals filed by the city and the said Commission and the Board authorized correction of the minutes of December 19 to show approval of the four permits.

Also, upon motion duly adopted the Trustees authorized issuance of permit applied for by Keith G. Robison for Sam H. Killebrew to dredge up to 500 cubic yards of material from Lake Ariana to improve his upland property, for \$25.00 minimum charge. City of Auburndale and Game and Fresh Water Fish Commission filed approval of the planned dredging.

PINELLAS COUNTY - On January 2, 1961 the Trustees considered request of the City of Treasure Island for participation by the Trustees in the cost of a complete coastal engineering study of Johns Pass and vicinity to be conducted using an operating scale model as recommended by the Coastal Engineering Laboratory, the cost of the study including recommendations for stabilizing the critical area and for establishment of bulkhead lines being \$30,000. The city offered to pay \$13,000, Mrs E. A. Clark the sum of \$4,000, and the Trustees were asked to make available the balance of \$13,000. Authority for the Trustees to participate was provided by Section 253.65. Inasmuch as the erosion and other problems affected the City of Madeira Beach and the work was of concern to the County, expressions from each were requested.

The Pinellas County Water and Navigation Control Authority by Resolution adopted on January 11 expressed complete agreement for a scale-model study to be made in the public interest to determine future erosion controls and development, and the State Road Department was also interested in having the study made.

The City of Madeira Beach reported no funds in its budget for participation and Mayor J. Peter Marinelli and Commissioner Marlin H. Eldred discussed erosion protection work already undertaken by the city, that private owners should not be included as proposed, that the study should be postponed until completion of the U. S. Army Corps of Engineers study as to navigation. Mr. Eldred requested a study by the Board of Conservation of the natural resources, and said that on the basis of a recommendation from that Board, Madeira Beach would be willing to go into the scale model study on a fifty-fifty basis with Treasure Island.



Mayor Melvin E. Page of the City of Treasure Island and Col. Herbert Gee, consulting engineer, discussed the planning which had already been done and urged participation in the coastal study. Adrian S. Bacon said that Mrs. Clark had offered to help pay the cost since her islands by their geographic location were involved in the erosion problems.

After the Board examined the maps and questioned the interested parties, the consensus was that the well-known unstable problem area appeared to justify a complete coastal engineering study and that a conservation study would be helpful. The Trustees directed that the Board of Conservation be requested to study and report whether there were substantial natural marine values, from the standpoint of conservation, in the zone of Johns Pass in its existing situation.

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TRUSTEES OFFICE BUILDING - Upon motion by Mr. Larson duly adopted, the Trustees authorized refinishing of several pieces of walnut and oak office equipment which was structurally sound, and approved purchase of the following equipment for maintenance of the new Trustees offices in the Elliot Building:

1 platform truck \$104.00 net; 1 appliance truck \$91.88 net;  
1 6-ft. stepladder \$25.20 net; 1 8-ft. stepladder \$34.20 net;  
1 Clarke Floor Maintainer #FM15 \$364.00 net; 1 Clarke vacuum cleaner #610 \$280.00 net.

The Director explained that on the first four items quotations were at the wholesale level, that the other two items were identical to equipment used in the Capitol, Carlton and Holland Buildings, and that the State Purchasing Council was consulted and had been very helpful.

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SUBJECTS UNDER CHAPTER 18296

BAY COUNTY - Murphy Act and Public Land. Isler, Welch and Jones, on behalf of clients, applied for release or purchase of reserved oil and minerals under public land deeds 19679 and 19985 and under Murphy Act deeds 723 and 828 aggregating approximately 140 acres which developers advised must be cleared of the reservations before they could accept title or proceed with proposed large housing development. Upon assurance by the applicants that the lands would be subdivided and plats filed or recorded showing division into building sites before development advanced, it was recommended that sale of the reserved oil and minerals be made pursuant to the 1959 amendment of the public land statute Section 270.11 at the rate regularly charged.

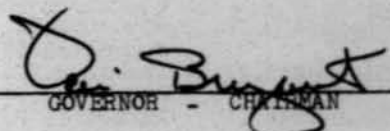
Upon motion by the Attorney General duly adopted, the Trustees accepted the recommendation and authorized release of the reserved minerals in the four deeds.

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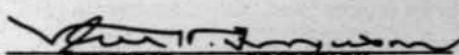
BREVARD COUNTY - Murphy Act. Crofton, Brewer and Holland on behalf of Charles E. Commander applied for release or purchase of the oil and minerals reserved to the State of Florida in 14.95 acres in Section 33, Township 21 South, Range 35 East, under Deed No. 1214 issued in 1946 under Chapter 18296. Plan was submitted showing building, spur tracks, service road and other facilities which would occupy about one-third of the parcel for an industrial development which required clearing the reservation before the developer could proceed. The usual sum charged was tendered for quitclaim of the reserved oil and minerals. Section 270.11 Florida Statutes, amended by Chapter 59-220, did not limit the release or conveyance to one acre building sites, and sale to the record owner at the regular rate was recommended since the Murphy Act release procedure should be coordinated with the public land statutes and procedures.

Upon motion by the Attorney General duly adopted, the Trustees accepted the recommendation and authorized release of the reserved minerals.

Upon motion duly adopted the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:

  
DIRECTOR - SECRETARY

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Tallahassee, Florida  
January 30, 1962

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office, in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	Richard W. Ervin	Attorney General

Van H. Ferguson	Director-Secretary
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The Trustees formally approved the minutes of the meeting on January 23, 1962, which had been approved by the Attorney General and copy presented to each member.

VOLUSIA COUNTY - The Director recommended for formal approval the bulkhead line in Sections 11, 12 and 14 of Township 16 South, Range 33 East on the east side of the Halifax River at Wilbur-by-the-Sea, unincorporated, as the bulkhead line was re-established by the Board of County Commissioners of Volusia County by Resolution adopted December 15, 1960. It was explained that the original bulkhead line fixed prior to the Bulkhead Act had been amended, making possible future development of a large mangrove marsh area between the upland and the Halifax River.

Applications were presented from sixteen riparian upland owners represented by David L. Black to purchase parcels of submerged land in the Halifax River in Sections 11, 12 and 14, Township 16 South, Range 33 East, within the above mentioned bulkhead line, as follows:

1. File 969-64-253.12. Martha E. Gore applied for 1.5 acres appraised at \$200.00 per acre.
2. File 970-64-253.12. Edwin J. Williams applied for 3.36 acres appraised at \$200.00 per acre.
3. File 971-64-253.12. W. O. Pierce applied for 1.82 acres appraised at \$200.00 per acre.
4. File 973-64-253.12. Otto R. Petersen applied for 3.85 acres appraised at \$200.00 per acre.
5. File 974-64-253.12. Albert W. Lewis applied for 1.8 acres appraised at \$200.00 per acre.
6. File 987-64-253.12. Mrs. Emma G. Johnson applied for 5.9 acres appraised at \$200.00 per acre.
7. File 988-64-253.12. Norman R. Christianson applied for 4.2 acres appraised at \$200.00 per acre.
8. File 975-64-253.12. Mrs. Gladys P. McNaughton applied for 6.8 acres appraised \$100.00 per acre.
9. File 976-64-253.12. Houston C. Raines applied for 4.8 acres appraised \$100.00 per acre.
10. File 977-64-253.12. R. W. Sacker applied for 4.4 acres appraised \$100.00 per acre.
11. File 978-64-253.12. Robert G. Steves applied for 3.06 acres appraised \$100.00 per acre.

1-30-62

12. File 986-64-253.12. Walter H. Mieth applied for 3.8 acres appraised \$100.00 per acre.
13. File 979-64-253.12. Joseph E. Albert applied for 10.9 acres appraised \$180.00 per acre.
14. File 980-64-253.12. Christian A. Rapp applied for 6.7 acres appraised \$180.00 per acre.
15. File 981-64-253.12. Theodore S. Valpey applied for 14.4 acres appraised \$180.00 per acre.
16. File 982-64-253.12. Robert L. Polliard applied for 15.0 acres appraised \$200.00 per acre.

The Trustees discussed the availability of fill material, the potential value of property along the Halifax River, and noted that development might require a great deal of capital and cooperation between the applicants. The Board directed the staff to check further on the value of the property.

Upon motion duly adopted the Trustees formally approved the bulkhead line as established by the Board of County Commissioners of Volusia County. The Trustees deferred consideration of sale applications for additional information based on an examination of the property on the ground by the staff.

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MONROE COUNTY - File No. 1081-44-253.12. Jane Long, the abutting upland owner represented by Ralph E. Cunningham, Jr., offered the established price of \$250.00 per acre for a parcel of submerged land in the Straits of Florida in Section 8, Township 66 South, Range 33 East, 1.65 acres at Fat Deer Key.

Upon motion duly adopted the Trustees authorized the parcel advertised for objections only.

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#### MISCELLANEOUS

BREVARD COUNTY - State Road Department applied for temporary dredging area in the Indian River in Section 10, Township 24 South, Range 36 East, for fill material to be used in construction of causeway on State Road No. 528. (SRD 49, Section 70070-2502).

Without objection the Trustees authorized issuance of temporary dredging easement to the State Road Department.

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BREVARD COUNTY - Charles A. Williams and Frank M. Wolfe requested instrument to clear cloud on the record title to the E $\frac{1}{2}$  and NW $\frac{1}{2}$  less NW $\frac{1}{4}$  of NW $\frac{1}{2}$  of Section 36, Township 28 South, Range 37 East, created by erroneous certificate issued January 17, 1917 by a former Commissioner of Agriculture, recorded in Deed Book 73 at page 99 wherein it was set forth that all of said section was patented to the State of Florida by Tampa Series Patent No. 2 dated April 16, 1856. A subsequent certificate issued September 15, 1959 by the Commissioner of Agriculture set forth that the SW $\frac{1}{4}$  of said section was patented to Dallas Lanier by the United States September 9, 1913, which was correct and was recorded in the county public records. Inasmuch as the erroneous certificate clouded the record title, the Director recommended appropriate disclaimer be issued.

Upon motion duly adopted the Trustees authorized issuance of disclaimer for \$10.00 charge to clear any purported state interest arising out of the erroneous certificate.

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PALM BEACH COUNTY - Florida Inland Navigation District applied for a disclaimer under Section 253.129 Florida Statutes, to a parcel of land filled prior to June 11, 1957 in Section 21, Township 47 South, Range 43 East, approximately 1 $\frac{1}{2}$  acres in Palm Beach County.

Upon motion duly adopted the Trustees authorized disclaimer requested by the Florida Inland Navigation District, without the usual handling charge.



POLK COUNTY - Keith G. Robison, on behalf of Latimer A. Long, applied to dredge up to 500 cubic yards of fill material from Lake Ariana in front of his upland ownership to improve his property. The City of Auburndale and the Florida Game and Fresh Water Fish Commission approved the proposed dredging.

Upon motion duly adopted the Trustees authorized issuance of permit for the stated amount of fill material for minimum charge of \$25.00.

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SUBJECTS UNDER CHAPTER 18296

Upon motion duly adopted the Trustees approved Bidding Report No. 805 listing one regular bid for purchase of Murphy Act land, and also approved issuance of County of Dade Deed No. 595-Corrective to Clarence W. Nelson and C.H. Nelson, Jr., to correct description of the land conveyed in original deed dated December 3, 1940.

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MONROE COUNTY - Mrs. LaVerne E. Dolph offered \$15.00 per acre for purchase of the NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 24, Township 54 South, Range 34 East, 10 acres, more or less, certified to the state under the Murphy Act. The state owned the W $\frac{1}{2}$  of E $\frac{1}{2}$  of Section 24 (160 acres) which was withdrawn from sale along with other Murphy Act lands on the Keys in 1951. The U. S. Survey had established only the external boundaries of the township, and surveyor might fix the location for the 10-acre parcel. The Tax Assessor in 1961 advised that lands in Section 24 were valued at four dollars per acre, being low and wet.

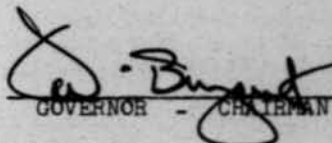
The Staff recommended that the Clerk of the Circuit Court be authorized to accept application, to advertise and report bids for the parcel, with statement on the published notice that in event sale was confirmed the deed would contain clause that the Trustees would not furnish any survey nor guarantee access. The Tax Clerk suggested that the Clerk of the Circuit Court be authorized to accept and process applications for purchase of the remainder of the 160 acres subject to the same provisions.

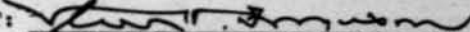
The Trustees examined maps and noted that the parcel was inland, north of the Everglades National Park boundary. It appeared that there would be little competitive bidding for one parcel and that the area might be useful for public purposes in the future.

Upon motion by Attorney General Ervin adopted without objection, the Trustees declined to sell the parcel.

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Upon motion duly adopted the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
February 6, 1962

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

Van H. Ferguson

Director-Secretary

The minutes of the Trustees meeting on January 30, 1962, which were approved by the Attorney General and copy presented to each member, were formally approved.

BREVARD COUNTY - Upon motion duly adopted the Trustees authorized issuance of a lease requested by the Corps of Engineers, U. S. Army Engineer District at Jacksonville, on behalf of the United States, covering a parcel fifty feet by fifty feet in open waters of the Banana River in Township 33 South, Range 37 East, to be used for a range target in connection with the Missile Program.

BROWARD COUNTY - Frank A. Gazze, owner of remnant Lot 7 Block 1 of Seabreeze Estates, Plat Book 2 at Page 48 of Broward County Public Records, applied to purchase said lot. The original Seabreeze Estates Subdivision which existed east of New River Sound along the Atlantic Ocean was torn out by storms or other natural causes, and New River Sound filled naturally with a corresponding area. A narrow portion of the original subdivision survived, to which the new area attached. The minutes of September 18, 1951 showed the area in which the subject lot existed was advertised for objections only and sale confirmed on that date for various applicants seeking to clear title to lots in the new area corresponding to the destroyed area.

Upon motion by Attorney General Ervin duly adopted, the Trustees authorized issuance of quitclaim to the new lot containing 0.40 of an acre, for the consideration of \$120.00 based on the established price at the rate of \$300.00 per acre.

CLAY & ST. JOHNS COUNTIES - Upon motion by Comptroller Green duly adopted, the Trustees authorized easement to the State Road Department for temporary dredging area in the St. Johns River in Township 6 South, Range 27 East, the material to be used in construction of a causeway for State Road No. 16 connecting St. Johns and Clay Counties.

COLLIER COUNTY - File No. 1093-11-253.12. Henderson, Franklin, Starnes and Holt on behalf of Key Island, Inc., applied for all of the sovereign areas in Sections 21, 22, 27, 28, 34 and 35 in Township 50 South, Range 25 East, and Sections 2, 3, 10 and 11 in Township 51 South, Range 25 East, lying within the bulkhead line for Keywaydin Island which was formally approved by the Trustees on January 2, 1962. The area comprising 601.5 acres was appraised at \$75.00 per acre.

Upon motion duly adopted, the Trustees authorized advertisement for objections only.

PALM BEACH COUNTY - The Staff requested amendment of authorization of January 23, 1962 for easement fifteen feet wide across the N $\frac{1}{2}$  of N $\frac{1}{2}$  of Section 29, Township 43 South, Range 37 East, to Florida Power and Light Company for power distribution line in order to include in the easement a right of way fifteen feet wide for said power line across the West 210 feet of the East 268 feet of the SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 19, Township 43 South, Range 37 East.

Upon motion by Mr. Green duly adopted, the Trustees authorized the inclusion in the easement of right of way across the parcel in Section 19, Township 43 South, Range 37 East.

PALM BEACH COUNTY - La Fontana Apartments, Inc., applied for State Permit to construct boat dock in Lake Worth at applicant's upland for use by apartment tenants. City of West Palm Beach approved the plan and the adjacent waterfront owner on the south waived objections, however objection was filed by Mrs. Angelina Casale, adjacent water front owner to the north. The dock would project only 58 feet into the lake and was 265 feet from objector's property.

After consideration of the protest filed, the Trustees overruled the objection and authorized issuance of the dock permit to La Fontana Apartments, Inc., for the usual processing fee of \$100.00.

POLK COUNTY - Upon motion duly adopted, the Trustees approved issuance of permits for the minimum charge of \$25.00 each to the following two applicants, represented by Keith G. Robison, for removal of material from an area in Lake Ariana riparian to their properties to repair shore erosion and improve their uplands, the City of Auburndale and the Game and Fresh Water Fish Commission having approved dredging in the lake under permit provisions:

- (1) Application by W. H. Williamson for 500 cubic yards to be dredged offshore from Lot 5, Block 2, Fairhaven Subdivision;
- (2) Application by O. G. Bentz for 500 cubic yards to be dredged offshore from Lot 1 Auburndale Lakeside Park Subdivision;

SANTA ROSA COUNTY - Bulkhead Line. Referred to the Trustees for formal approval was a bulkhead line established in accordance with provisions of Section 253.122 Florida Statutes by the Board of County Commissioners of Santa Rosa County by Resolution dated November 14, 1961. The line was located in Escambia Bay in the vicinity of upland property in Section 17, Township 1 South, Range 28 West, for J. W. Cook, applicant.

Without objection, the Trustees formally approved the bulkhead line as established by the Board of County Commissioners of Santa Rosa County.

SARASOTA COUNTY - File No. 1090-58-253.129. Robertson and Robertson on behalf of Edward F. Swift, Jr., applied for disclaimer under Section 253.129 Florida Statutes, to an area filled in 1926 in Section 1, Township 39 South, Range 18 East, containing approximately 0.4 acre.

Without objection, the Trustees authorized issuance of disclaimer for the handling charge of \$10.00.

SARASOTA COUNTY - File No. 1091-58-253.12(1). Robertson and Robertson on behalf of Louis Garmand et al applied for quitclaim deed under provisions of Section 253.12(1) Florida Statutes to a parcel of land in Section 6, Township 36 South, Range 17 East, containing 2.91 acres filled in 1954. Issuance of the instrument was recommended for \$150.00 per acre which was the value of the



lands as they existed prior to such filling.

Upon motion by Mr. Ervin duly adopted, the Trustees authorized quitclaim deed to the applicants for the consideration of \$150.00 per acre.

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SARASOTA COUNTY - File No. 1092-58-253.12(1) Robertson and Robertson on behalf of Douglas G. Wray et al applied for quitclaim deed under provisions of Section 253.12(1) Florida Statutes to a parcel of land in Section 6, Township 36 South, Range 17 East, containing 1.07 acres filled in 1951. Issuance of the instrument was recommended for \$150.00 per acre, the value of the lands as they existed prior to such filling.

Upon motion by Mr. Ervin duly adopted, the Trustees authorized quitclaim deed to the applicants for the consideration of \$150.00 per acre.

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TRUSTEES' OFFICE - Supplies. The Director presented bids for printed letterheads for the office, received from three printers in accordance with notice to bidders and specifications for Class I printing, the low bidder, however, not having complied with requirement in accordance with Section 4.14 as to submitting sample. Authorization was requested to purchase from the second bidder named below, being the lowest bid received in accordance with specifications set forth in the notice.

Artcraft Printers, Tallahassee	\$74.50
(No sample submitted)	
Bulkley-Newman Printing Co., Tallahassee	80.00
Rose Printing Co., Tallahassee	87.50

Upon motion by Mr. Green duly adopted, the Trustees directed that the bid of Bulkley-Newman Printing Company be accepted.

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TRUSTEES' FUNDS - Referred to the Trustees for consideration was the landscaping proposal for the Elliot Building. Robert H. Brown, Jr., Architect-Engineer, Board of Commissioners of State Institutions, in accordance with advertised notice, received two bids for furnishing and planting trees and shrubs and recommended acceptance of the low bid by Capital Nurseries in the total amount of \$1,063.00.

Upon motion by Comptroller Green duly adopted, the Trustees directed that the low bid be accepted and that Mr. Brown proceed with the landscaping work.

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CAPITOL CENTER - Acquisition of Harrell property. Mr. H. P. Ford and Mr. W. H. Cates submitted to the Board an appraisal of the block of property bounded by Gaines Street on the north, Bronough Street on the west, Bloxham Street on the south, and Duval Street on the east, which appraisal was requested in connection with a long range program for acquisition of land around the Capitol Center. The Secretary of State advised that because of the opening of the new State Office Building, it appeared necessary to consider that some acquisition be undertaken at this time, and the appraisal was requested in this connection.

The Frank Harrell lots, to-wit: Lots 7 and 8 Capitol Place, a re-sub of Lot 246, Old Plan, were brought to the attention of the Board, in view of the fact that the owner had received an offer of \$40,000.00 for this property for the purpose of construction and operation of a filling station.

The Attorney General stated that, in his opinion, these lots should be purchased by the State for the purpose of parking, possible future construction, and for protection of that area from encroachment of commercial type buildings.

The Governor asked the City Mayor if the City had authority to maintain a residential zone in this area if the State makes an overt action toward interest in the lots. He was advised that the City desired to cooperate with the State, and if the State bought the Harrell property, the entire block would be zoned as residential property. The City Attorney advised that he believed the City could maintain the residential zoning status on this block and that it would oppose litigation. The City was then requested to maintain residential zoning and create a buffer to protect the State, and Trustees were advised that it was residential property and served as a protection to State buildings.

Mr. Jack Yaeger stated that it was his personal feeling that this area had always been residential area outside the Taylor Plan, and recommended that it be maintained as residential zoning as a buffer for State property.

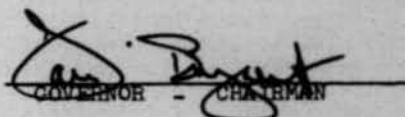
Motion was made and adopted that the Board concur with the City's recommendation and that the State acquire the Frank Harrell lots from funds of the Trustees of the Internal Improvement Fund at a price not to exceed \$40,000.00. This action was taken jointly by the Board of Commissioners of State Institutions and the Trustees of the Internal Improvement Fund, with the Comptroller seconding the motion for the Trustees.


SUBJECTS UNDER CHAPTER 18296

COLUMBIA COUNTY - James Y. Wilson offered \$10.00 for conveyance under Chapter 28317, Acts of 1953, commonly called the Hardship Act, of two parcels of land described as E $\frac{1}{2}$  of NW $\frac{1}{4}$  and E $\frac{1}{2}$  of SW $\frac{1}{4}$  North of Public Road in Section 23, Township 4 South, Range 15 East, 155 acres, certified to the state under Tax Sale Certificate No. 12 of November 4, 1895. Application cited that through error of the county officials Certificate 12 of 1895 was omitted when tax deed based on Tax Certificate 17 of 1896 was issued February 14, 1910 to H. A. Wilson, Sr., who in 1956 transferred said land to his son, the applicant, and there had been deposited with the Clerk of the Circuit Court the amount of all taxes and assessments plus interest and cost on the above land since and including the year 1893.

Upon motion duly adopted, the Trustees authorized conveyance of the land applied for under Chapter 28317 for \$10.00 consideration.

Upon motion duly adopted the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
February 20, 1962

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

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Van H. Ferguson	Director-Secretary
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#### LAND SALES

BAY COUNTY - File No. 1036-03-253.12. The Trustees considered the application of Harby Marira, Inc., the abutting upland owners represented by Julian Bennett, attorney, for purchase of a parcel of submerged land in Watson Bayou in Section 9, Township 4 South, Range 14 West, City of Panama City, containing 0.98 acre within the established bulkhead line. The parcel was advertised in the Panama City Herald and proof of publication filed with the Trustees.

A number of nearby property owners filed protests to the sale. William Leath, attorney, and Curtis McCall objected to the indicated increased commercial use involving outboard motors across the bayou from an area that had long been residential. Protestants also called attention to a proposed change in the channel which would move it closer to the objectors' properties. Mr. Bennett, Abbott Brown, realtor, and John Hargrove argued that the marina had been there many years and that the matters of dredging and the channel would be the subject of an application to the local board at a later date.

Since not only a purchase within the bulkhead line was involved but also a contemplated change of the channel, Attorney General Ervin recommended that the Trustees' Engineer look into the matter further and consult with the city, the objectors and applicants.

Upon motion by Mr. Green duly adopted, the Trustees deferred action until investigation and report by the Board's Engineer.

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DADE COUNTY - The following eleven (11) pending applications for purchase of submerged land within the established bulkhead line of the City of Islandia were presented for consideration, all having been advertised for objections only previously. On December 19 the Trustees had deferred action for thirty days and the Town Council of Islandia after meeting with the Dade Metro Commission had requested further deferment until this date.

(1) File No. 441-13-253.12. R. L. Round, riparian upland owner represented by William C. Martin, made application to purchase a parcel of submerged land in the Atlantic Ocean in Section 22, Township 58 South, Range 41 East at Old Rhodes Key, easterly of and abutting Government Lot 1 of said Section 22, within the established bulkhead line, 35.99 acres, more or less, appraised at \$235.00 per acre.

(2) File No. 516-13-253.12. Stanley C. Myers, riparian upland owner, offered \$123.00 per acre, the appraised price, for 108.7 acres, more or less, of submerged Biscayne Bay lands within the established bulkhead line and riparian to applicant's Ragged Key No. 1.

(3) File No. 519-13-253.12. George Stamos and wife, riparian upland owners, offered the appraised price of \$123.00 per acre for two parcels of submerged Biscayne Bay lands within the



established bulkhead line and riparian to applicants' land on Ragged Keys Nos. 2, 3, 4 and 5, 166.1 acres, more or less.

(4) File No. 520-13-253.12. Continental Equities, Inc., riparian upland owners, offered the appraised price of \$123.00 per acre for 96.7 acres, more or less, of submerged Biscayne Bay land within the established bulkhead line and riparian to applicant's land on Ragged Key No. 3.

(5) File No. 679-13-253.12. Richard B. Swanson, riparian upland owner, applied to purchase two parcels of submerged land in Section 33, Township 58 South, Range 41 East, Swan Key, City of Islandia, Parcel "A" containing 29.5 acres appraised at \$165.00 per acre lying in Old Rhodes Channel northerly of and abutting Government Lot 2 of said Section 33, and Parcel "B" containing 36.7 acres appraised at \$235.00 per acre lying in the Atlantic Ocean southeasterly of and abutting said Government Lot 2, with a combined area of 66.2 acres, more or less, within the established bulkhead line.

(6) File No. 957-13-253.12. Raymond A. Pollizzi for The Pollizzi Trust, riparian upland owner, offered the appraised price of \$235.00 per acre for 27.81 acres, more or less, of submerged land in Broad Creek at Gold Key, City of Islandia in Section 33, Township 58 South, Range 41 East, within the established bulkhead line.

(7) File No. 1020-13-253.12. Helms Construction Company, riparian upland owner, offered the appraised price of \$282.00 per acre for 24.5 acres more or less, of submerged land in Biscayne Bay in Sections 15 and 16, Township 58 South, Range 41 East, Reid Key, within the established bulkhead line.

(8) File No. 1021-13-253.12. H. F. Schuessler, riparian owner, offered the appraised price of \$245.00 per acre for 42.52 acres, more or less, of submerged land in Card Sound in Section 29, Township 58 South, Range 41 East, Little Totten Key, within the established bulkhead line. Notice was published in The Homestead News and proof of publication was filed with the Trustees.

(9) File No. 1022-13-253.12. Harry Kendel et al, riparian upland owners, applied for a parcel of submerged land in Biscayne Bay in Sections 28 and 29, Township 58 South, Range 41 East, Little Totten Key, within the established bulkhead line, containing 66.39 acres, more or less, appraised at \$245.00 per acre.

(10) File No. 1064-13-253.12. Noble E. Bowlby and wife, the riparian upland owners, offered the appraised price of \$245.00 per acre for a parcel of Biscayne Bay submerged land in Section 28, Township 58 South, Range 41 East, Noble Island, 6.94 acres, more or less, within the established bulkhead line. Notice was published in The Homestead News and proof of publication was filed with the Trustees.

(11) File No. 1065-13-253.12. Harry Markovitz as Trustee, the riparian upland owner, offered the appraised price of \$245.00 per acre for 2 contiguous parcels of submerged land in Biscayne Bay in Sections 20 and 21, Township 58 South, Range 41 East, Totten Key, 48.44 acres, more or less, within the established bulkhead line. Notice was published in The Homestead News and proof of publication was filed with the Trustees.

The Director and Engineer Kidd briefly reviewed the applications and advised that customarily bulkhead lines were not set or sales recommended on the ocean side, but applications on the ocean side of the lower Biscayne Keys were considered in the light of sales which the Trustees had made in the Florida Keys and were recommended for sale as approved by the City of Islandia.

The Trustees expressed concern that the county was not represented at the meeting and had not submitted plans indicating agreement with the applicants for reservation of areas for public purposes. Attorney General Ervin said the area was of the highest importance

to Dade County being the last undeveloped offshore islands in the county, and that the public interest should be given the greatest consideration with areas reserved for causeway connections, roads, parks and other uses. He felt that most of the pending applications were for speculative purposes with little chance for development until access and other facilities were provided, and he proposed a reservation in the deeds providing that for a ten year period the county and city could take areas required for public purposes.

Mayor L. L. Brooks of Islandia said that the Town Council met with the county a week ago and reached an agreement whereby the county set up as a minimum standard a plan whereby 14% of the submerged land acquired by each applicant would be given for public purposes and certain locations were indicated for parks. The Council agreed, asking only for the privilege of relocating some areas. Also speaking on behalf of the applicants were William C. Martin and Tom Maxey.

The Trustees commended the Islandia group for the progress which had been made and expressed willingness to confirm the sales provided an understanding with Metro could be reached, pointing out that cooperation with Metro would be necessary for the City of Islandia to be able to develop.

Upon motion by Comptroller Green, seconded by Mr. Larson and adopted without objection, the Trustees confirmed the eleven sales under consideration on this date subject to Metro Dade County, the City of Islandia and the purchasers working out an agreement as to any submerged lands to be reserved for public uses, with a formal resolution to be required from the county and the city approving each application before issuance of the deed.

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DUVAL COUNTY - File No. 907-16-253.12. On November 21, 1961, the Trustees deferred action on application by Alexander Brest and George H. Hodges, riparian upland owners, with offer of \$200.00 (value appraised May 1961) per acre for 8.2 acres of Trout River submerged land riparian to applicants' upland in Section 44, Township 1 South, Range 27 East, West of A. C. L. Railroad and within the established bulkhead line. A second appraisal of \$970.00 per acre was obtained based on enhancement of adjacent upland and cost of filling but without any indicated consideration of bulkhead cost nor cost of removal of deep muck before filling. After further investigation by Engineer William R. Kidd it appeared that the cost of producing the fill would exceed the current market value of waterfront upland in the zone and based on analysis of factors involved in the proposed development, sale at \$200.00 per acre was recommended, it being understood that price was based on specific problems affecting cost of producing a useful area and value in the unfilled state, and not indicative of other area values.

Upon motion by Mr. Larson duly adopted, the Trustees approved sale to the applicants at the \$200.00 per acre appraisal value, subject to advertisement for objections only.

LEE COUNTY - File No. 1010-36-253.12. On November 21 the Trustees considered application by A. Donald Bass, abutting upland owner, with offer of the appraised price of \$250.00 per acre for a tract of sovereign land in the Caloosahatchee River in Sections 22 and 27, Township 45 South, Range 23 East, lying southerly of and abutting Government Lot 4 in said Section 22 containing 87.3 acres, more or less, within the established bulkhead line. The land was advertised for objections only in the Fort Myers News, proof of publication filed with the Trustees, and no protest to the sale was received.

Upon motion duly adopted the Trustees confirmed sale of the advertised tract to the upland owner for the appraised price.

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LEE COUNTY - File No. 1035-36-253.12. On December 5 the Trustees considered application by Gulf American Land Corporation, abutting upland owner, with offer of the appraised price of \$250.00 per

acre for submerged land in the Caloosahatchee River in Section 23, Township 45 South, Range 23 East, 12.0 acres within the established bulkhead line. The parcel was advertised for objections only in the Fort Myers News Press, proof of publication filed with the Trustees, and no protest to the sale was received.

Upon motion duly adopted the Trustees confirmed sale of the advertised land to the upland owner at the appraised price.

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MONROE COUNTY - File No. 1037-44-253.12. On January 2 the Trustees considered application by Charles J. Suffridge, the abutting upland owner, with offer of the established price of \$250.00 per acre for bay bottom land in the Bay of Florida north of and adjacent to a part of Government Lot 3 in Section 5, Township 66 South, Range 33 East, at Crawl Key No. 1, containing 0.87 of an acre, more or less. The parcel was advertised in the Coral Tribune, Key West, Florida, proof of publication was filed with the Trustees, and protest to the sale was filed by Clifford Hicks and Joe H. Wildermuth.

Upon motion duly adopted the Trustees deferred action for the parties to try to resolve the objections.

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MONROE COUNTY - File No. 1038-44-253.12. On December 5 the Trustees considered application by Frank Keevan and wife, the abutting upland owners, with offer of the established price of \$200.00 per acre for submerged land in the Straits of Florida in Section 14, Township 67 South, Range 27 East, Sugarloaf Key, 0.77 of an acre, more or less. The parcel was advertised in the Coral Tribune, proof of publication filed with the Trustees, and no protest was filed to the sale.

Upon motion by Mr. Green duly adopted, the Trustees confirmed sale to the upland owner at the price offered.

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MONROE COUNTY - File No. 1041-44-253.12. On December 12 the Trustees considered application by Kenneth H. Suggs, abutting upland owner, with offer of the established price of \$250.00 per acre for submerged land in the Straits of Florida in Section 11, Township 66 South, Range 32 East, Key Vaca, 2.7 acres, more or less. The parcel was advertised in the Key West Citizen, proof of publication filed with the Trustees, and no protest was filed to the sale.

Upon motion by Mr. Green duly adopted, the Trustees confirmed sale to the upland owner at the price offered.

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MONROE COUNTY - File No. 1048-44-253.12. On December 5 the Trustees considered offer of the established price of \$300.00 per acre from B. A. Burkhardt, abutting upland owner, for submerged land in Bogie Channel in Section 11, Township 66 South, Range 29 East, 7.51 acres, more or less, at Big Pine Key. The parcel was advertised in the Coral Tribune, Key West, Florida, proof of publication filed with the Trustees, and no protest was filed.

Upon motion by Mr. Green duly adopted, the Trustees confirmed sale to the upland owner at the price offered.

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MONROE COUNTY - File No. 1050-44-253.12. On December 5 the Trustees considered offer of the established price of \$300.00 per acre from Carl S. Zwerner and wife, abutting upland owners, for submerged land in Florida Bay in Section 13, Township 62 South, Range 38 East, 0.78 of an acre, more or less, at Key Largo. The parcel was advertised in the Key West Citizen, proof of publication filed with the Trustees, and no protest received.



Upon motion by Mr. Green duly adopted, the Trustees confirmed sale to the upland owner at the price offered.

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MONROE COUNTY - File No. 1054-44-253.12. On December 12 the Trustees considered offer of the established price of \$300.00 per acre from Mertle N. Elsenau, abutting upland owner, for submerged land in Florida Bay in Section 7, Township 63 South, Range 38 East, 0.50 acre, more or less, at Plantation Key. The parcel was advertised in the Key West Citizen, proof of publication filed with the Trustees, and no protest received.

Upon motion by Mr. Green duly adopted, the Trustees confirmed sale to the upland owner at the price offered.

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MONROE COUNTY - File Nos. 1056, 1057, 1058, 1059, 1060 and 1061-44-253.12.

On January 2 the Trustees considered application by L. W. Thomas on behalf of John R. Johnson, Frank Richter, Robert F. Ziegler, John E. Wiss, Rio B. Wagner and Elmer J. Sigler, abutting upland owners, for purchase of six contiguous parcels of submerged land in the Straits of Florida in Sections 34 and 35, Township 66 South, Range 28 East, containing a total of 3.16 acres, more or less, at Summerland Key. The land was advertised in the Key West Citizen, proof of publication filed with the Trustees, and no protest received.

Upon motion by Mr. Larson duly adopted, the Trustees approved sale to each applicant of the submerged parcel adjacent to his upland ownership on the basis of the appraised price, \$375.00 per acre.

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MONROE COUNTY - File No. 1062-44-253.12. On January 2 the Trustees considered application by Mechanical Industries Southern Corporation, abutting upland owner, with offer of the established price of \$300.00 per acre for 2 parcels of submerged land in Section 18, Township 63 South, Range 38 East, Parcel 1 lying in the Straits of Florida southeasterly of and abutting Lot 4 of MacDonald's Subdivision as recorded in Plat Book 1, Page 81 of the Public Records of Monroe County, containing 1.4 acres, more or less, and Parcel 2 lying in the Bay of Florida northerly of and abutting Lot 11 of said MacDonald's Subdivision, containing 1.5 acres, more or less. The land was advertised in the Key West Citizen, proof of publication filed with the Trustees, and no protest received.

Upon motion by Mr. Larson duly adopted, the Trustees approved sale of the two advertised parcels to the applicant at the price offered.

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PALM BEACH COUNTY - File No. 1042-50-253.12. On December 12 the Trustees considered offer of the appraised value of \$1400.00 per acre from Frank E. Roush and wife, abutting upland owners, for a tract of sovereignty land in Lake Worth in Section 22, Township 45 South, Range 43 East, City of Boynton Beach, 1.205 acres, more or less, within the established bulkhead line. The tract was advertised in the Palm Beach Post, West Palm Beach, Florida, proof of publication filed with the Trustees, and no protest was received. Central and Southern Florida Flood Control District waived objection to the sale.

Upon motion by Mr. Larson duly adopted, the Trustees confirmed sale to the applicant at the appraised price.

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PALM BEACH COUNTY - File No. 1043-50-253.12. On December 5 the Trustees considered offer of the adjusted appraised price, \$862.00 per acre, from Marie G. Hitchcock, abutting upland owner, for a parcel of submerged land in Lake Worth in Section 10, Township 43 South, Range 43 East, 0.362 acres more or less within the established bulkhead line in the City of West Palm Beach. The

parcel was advertised in the Palm Beach Post, West Palm Beach, Florida, proof of publication filed with the Trustees, and the city requested deferment for revision of the bulkhead line which was in the process of being realigned shoreward.

Without objection, the Trustees deferred action on the sale.

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PALM BEACH COUNTY - File No. 1071-50-253.12. On January 2 the Trustees considered offer of \$1500.00 per acre from William Smith, abutting upland owner, for a parcel of submerged land in Lake Worth in Section 15, Township 45 South, Range 43 East, City of Boynton Beach, lying Easterly of and abutting that part of the South 150 feet of the North 1455.50 feet of the NW $\frac{1}{4}$  of said Section 15, lying East of U. S. Highway No. 1, containing 1.0 acre, more or less, within the established bulkhead line. The parcel was advertised in the Palm Beach Post, West Palm Beach, Florida, and proof of publication filed with the Trustees. Central and Southern Florida Flood Control District waived objection to the proposed sale.

The Staff did not consider sound the objections raised in a letter from three parties who cited probable damage to tide flow, view and residential property, and the Trustees examined the plat submitted.

Upon motion by Mr. Green duly adopted, the Trustees overruled the objections and confirmed sale to the upland owner at the price offered.

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PALM BEACH COUNTY - File No. 1049-50-253.36. William W. Rogers offered the appraised value of \$500.00 per acre for 10.52 acres of reclaimed Lake Okeechobee bottom land between his upland property (West 1456.4 feet of Section 10, Township 44 South, Range 36 East) and a line 60 feet landward of the existing levee, Hoover Dike.

Upon motion by Mr. Conner duly adopted, the Trustees approved sale without advertisement or competitive bids under Section 253.36 Florida Statutes.

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VOLUSIA COUNTY - File No. 261-64-253.12. On December 5 the Trustees considered application by Henry Yunick, abutting upland owner, represented at the meeting by J. Lewis Hall, Jr., with offer of the appraised price of \$800.00 per acre for a parcel of submerged land in the Halifax River abutting uplands in Section 37, Township 15 South, Range 33 East, City of Daytona Beach, 1.0 acre, more or less, within the established bulkhead line. The parcel was advertised in the Daytona Beach Evening News with proof of publication filed with the Trustees.

Since the proposed purchase would not permit extension beyond the area of existing land in place filled some years ago, and created a more orderly shoreline, the Staff recommended overruling objections filed by Robert N. Chandler and S. L. Bond.

Upon motion duly adopted, the Trustees overruled objections and confirmed sale to the applicant at the appraised price.

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VOLUSIA COUNTY - File No. 998-64-253.12. On January 2 the Trustees considered application by James H. Erisman, abutting upland owner, for a parcel of submerged land appraised \$200.00 per acre in the Halifax River in Section 11, Township 16 South, Range 33 East, 0.23 of an acre, more or less, within the established bulkhead line. The land was advertised in the Daytona Beach News Journal, proof of publication filed with the Trustees, and no protest to the sale received.

Upon motion duly adopted the Trustees confirmed sale to the applicant for \$100.00 minimum amount.

VOLUSIA COUNTY - File No. 1052-64-253.12. On January 2 the Trustees considered application by A. W. Ecklund, abutting upland owner, for a parcel of submerged land in the Halifax River in Sections 2 and 11, Township 16 South, Range 33 East, 1.5 acres within the established bulkhead line. The land was advertised in the Daytona Beach News Journal, proof of publication filed with the Trustees, and no protest received.

Upon motion by Mr. Larson duly adopted, the Trustees confirmed sale to the applicant at the appraised price.

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#### APPLICATIONS TO PURCHASE LAND

MONROE COUNTY - File No. 1094-44-253.12. Floyd C. Russell, the abutting upland owner represented by G. A. Crawshaw, offered the established price of \$425.00 per acre for a parcel of submerged land in the Straits of Florida in Section 27, Township 63 South, Range 37 East, 0.69 of an acre at Upper Matecumbe Key.

Motion was made by Mr. Larson, seconded and adopted, that the parcel be advertised for objections only.

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MONROE COUNTY - File No. 1096-44-253.12. Emette Hart, abutting upland owner represented by G. A. Crawshaw, offered the established price of \$300.00 per acre for a parcel of submerged land in the Bay of Florida in Sections 7 and 18, Township 63 South, Range 38 East, 0.35 of an acre at Plantation Key.

Upon motion duly adopted, the Trustees authorized advertisement for objections only.

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MONROE COUNTY - File No. 589-44-253.12. Presented for further consideration was the offer of \$100.00 per acre (1956 appraisal) by E. C. Lunsford, owner of adjacent U. S. lots, for 73.66 acres, more or less, of tidal lands shown on the U. S. Survey approved in 1879 as Government Lot 1 of Section 30, Township 63 South, Range 37 East, 36.10 acres, and Gov. Lot 1 of Section 31, Township 63 South, Range 37 East, 37.56 acres, which were patented to the State of Florida as swamp and overflow lands in 1879. Inspection and reports by a registered land surveyor in the county and by the Trustees' Engineer verified that the two lots sought by the applicant and his two adjacent lots were covered by water at normal high tide, a large portion of the lots applied for being inundated at low tide and the balance covered by mangrove, the area (known as Shell Key) being composed entirely of colloidal marl clay more than five feet deep.

On October 23, 1956 the Trustees declined application by parties owning no land in the vicinity to purchase the two lots as public lands. Dr. Lunsford as record owner of two lots constituting more than half of Shell Key subsequently applied in 1956 to purchase the two state-owned lots as tidal lands, together with adjacent submerged lands. Action taken March 1, 1960, was to offer the two lots at public sale but to advertise the adjacent submerged land for objections only; but that created possible sale of submerged land adjacent to one of the lots to one purchaser and the adjacent lot to another and was not processed.

The two lots sought were not of the type of land classified as swamp and overflow but were clearly sovereignty in character, and the staff recommended sale of the two lots under provisions of Section 253.12 with advertisement for objections only at the 1956 appraised value, since Shell Key was more than one mile offshore from firm land and was an unstable area unsuitable for filling and development. The staff recommended sale in accordance with the physical character of the land even though it was patented to the state under the Act of Congress approved September 28, 1850. The character of the Key was such that a public sale open to speculators was not recommended, and Section 270.09 Florida Statutes also provided authority for sale of such area without competitive sale.



Upon motion by Mr. Larson duly adopted, the Trustees approved the recommendations of the staff for sale to Dr. Luneford at \$100.00 per acre subject to advertisement for objections only.

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PALM BEACH COUNTY - File No. 1055-50-253.12. The Darby Corporation, abutting upland owner, represented by Caldwell, Pacetti, Foster & Barrow, offered the appraised price for the parcel, \$10,003.50, for 3.55 acres of submerged land in Lake Worth in Section 26, Township 44 South, Range 43 East, Town of Palm Beach, within the established bulkhead line.

Upon motion duly adopted, the Trustees authorized the land advertised for objections only.

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PALM BEACH COUNTY - File No. 1087-50-253.12. D. D. Caudill, abutting upland owner represented by Brockway, Weber and Brockway, offered the appraised price of \$1925.00 per acre for a parcel of submerged land in Lake Worth in Section 34, Township 44 South, Range 43 East, 2.235 acres in the City of Lake Worth within the established bulkhead line.

Upon motion duly adopted, the Trustees authorized the land advertised for objections only.

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MISCELLANEOUS

DADE COUNTY - Upon motion by Mr. Larson duly adopted, the Trustees authorized dedication for street purposes requested by the City of Miami by Resolution No. 33262 adopted December 8, 1961, covering those submerged lands bayward of S. E. 25th Road, a dedicated street in Section 40, Township 54 South, Range 41 East, southeasterly to the established bulkhead line.

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DADE COUNTY - Joe H. Kelleher and the University of Miami requested release of general and specific canal reservations and reserved oil and minerals in the North 1/8 of Section 19, Township 58 South, Range 39 East less right of way and west of U. S. Highway No. 1 as contained in conveyances of said land (and other lands) in Trustees' Deed No. 19866 dated August 21, 1951. The land was granted by Mr. Kelleher and wife to the University of Miami which required the title to be cleared before acceptance.

Upon motion by Mr. Larson duly adopted, the Trustees authorized issuance of quitclaim to the record owner, the University of Miami, without charge inasmuch as the grant was to an educational institution.

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LAKE COUNTY - Upon motion by Mr. Larson duly adopted, the Trustees authorized issuance of permit for \$25.00 charge in favor of Ernest R. Lawton to remove 500 cubic yards of fill material from bottoms of Lake Lora riparian to his upland property, subject to compliance with the recommendations of the Game and Fresh Water Fish Commission.

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LEVY COUNTY - Suwannee River Authority on behalf of the United States applied for perpetual spoil easements covering seven offshore parcels of submerged land in the Gulf of Mexico (Tract Nos. 102-1 through 102-7 inclusive, each 8.26 acres) required for maintenance and enlargement of the Suwannee River channel project authorized by Congress.

Upon motion by Mr. Green seconded and adopted, the Trustees granted the requested easement for deposit of spoil from the project.

MONROE COUNTY - Upon motion by Mr. Larson duly adopted, the Trustees approved assignment of Contract No. 22290 by Lester S. Johnson, Jr., and wife, in favor of Division Point Lands, Inc.

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PALM BEACH COUNTY - Upon motion by Mr. Green duly adopted, the Trustees authorized dedication to the State Road Department of right of way across the submerged bottoms of Loxahatchee River in Section 25, Township 40 South, Range 42 East, 0.61 of an acre, more or less, for Hooley Point Bridge (SRD Section 93501-2601).

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PALM BEACH COUNTY - Request was made on behalf of Pahokee Farms, Inc., holder of Agricultural Lease No. 1436, and by Richardson Tractor Company for consent to Palm Beach County Zoning Commission for rezoning of a five-acre triangular parcel one-half mile south of Pahokee Airport within the leased area to permit sales and service of agricultural equipment.

Without objection, the Trustees granted consent for the rezoning.

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PINELLAS COUNTY - City of St. Petersburg Beach, holder of State Permit No. 1589 issued August 25, 1961 for construction of four artificial reefs, requested extension of time for completion of the project. It was explained that marking buoys were required and final permit from the U. S. Coast Guard had just been received.

Upon motion by Mr. Larson duly adopted, the Trustees authorized twelve-month extension of permit time, subject to compliance with requirement that all materials dumped be certified by the State Board of Conservation in accordance with the permit conditions.

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INTRACOASTAL WATERWAY - Request was presented from the Florida Board of Conservation on behalf of the United States that the Trustees provide a right of way and spoil easements, without charge, when requested by the U. S. Army Corps of Engineers or the duly authorized agency charged with responsibility in such field, for the proposed Intracoastal Waterway between the St. Marks River and Tampa Bay.

Upon motion duly adopted, the Trustees agreed to grant right of way and spoil areas on sovereignty lands owned by them when the applications are received, provided such grants do not conflict with rights of others.

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CAPITOL CENTER - On January 9, 1962 authorization was granted for disposition of the old Alligood house at the northwest corner of Gaines and Adams Streets, also for the staff to determine whether the building which had been used by the Tallahassee Junior Museum should be removed. The Director recommended, in the event there was no showing of need by a state office for the Museum's former quarters by March 1, 1962, that it be included in the advertisement for bids and removal along with the Alligood house.

Terry Lee, of the Board of Commissioners of State Institutions, discussed tentative plans for widening Gaines Street or providing an off-street pull-in area and advised that the entire block (bounded by Adams, Gaines, Duval and Madison Streets) was state-owned and could be used for a parking lot with the exception of three lots remaining in private ownership on which negotiations to purchase were difficult.

Comptroller Green recommended continuation of negotiations or, if necessary, condemnation since there was a definite need for the properties.

Upon motion by Mr. Green duly adopted, the Trustees authorized advertisement of the Alligood house for removal and inclusion of former Museum building if not requested for use by a state

agency by March 1, authorized the Attorney General to proceed with condemnation of the lot in the center of the block owned by the Williams estate, and directed that the two lots on Gaines and Duval Streets (Grant property) be acquired by negotiation if possible or if necessary, by condemnation.

TRUSTEES OFFICE BUILDING - Maintenance; Furnishings; Supplies.

(1) The Director recommended authorization of an arrangement with the office of the Secretary of State for maintenance of cooling and heating equipment and electrical installations in the Elliot Building which would require adjustment and service by skilled technicians but addition of full-time mechanic-electrician was not deemed necessary. The Secretary of State indicated that such services might be arranged, together with grounds maintenance, under the Capitol Grounds Division Director-Engineer, with the Trustees supplementing the Secretary of State's salary appropriation by the amount Trustees would pay for a lesser skilled maintenance man, estimated at \$300.00 per month. Such supplement would assist in securing the quality of technician needed, employ an additional yard man and allow some merit raises. The Director expressed appreciation for the assistance and cooperation of the Secretary of State and his Director-Engineer.

Upon motion by Mr. Larson duly adopted, the Trustees approved the proposed arrangement with the office of the Secretary of State for maintenance of cooling and heating equipment and electrical installations in the Elliot Building together with grounds maintenance, and the Board authorized payment to the Secretary of State's salary appropriation of the agreed amount.

(2) The Staff reported the following results of bids taken on furnishings and equipment for the new Trustees building, as advertised in the Tallahassee Democrat January 31 and February 7, 1962 with bids received and publicly opened February 15, 1962. Low bid was reported in each case except for seventeen chairs for the conference room, for which low bid was received for items of good quality but not matching or conforming to design of major furniture for the same rooms, not considered as an approved equal for the intended purpose.

Capital Office Equipment Co., Tallahassee, Florida	
4 arm chairs, 4 side chairs, 1 credenza	
Total	\$ 440.88
Commercial Office Furniture Co., Tallahassee, Fla.	
8 steel tables, 19 steel roller shelves	
Net Total	2101.77
2 desks, 1 credenza, 17 conference chairs,	
3 costumers, 12 coat hangers	
Net Total	1936.51
General Office Equipment Co., Tallahassee, Fla.	
4 drafting chairs, 2 drafting tables,	
5 plan file units, 24 ash trays, 1 storage	
cabinet, 2 wardrobe racks, 3 couches,	
1 chair, 5 tables, 5 desks, 1 credenza	
Total	4859.20
State Office Supply Co., Tallahassee, Fla.	
5 costumers	
Total	50.00
Grand Total	<u>\$9388.36</u>

Upon motion by Mr. Larson duly adopted, the Trustees approved purchase of the furnishings and equipment at the prices bid and reported above.

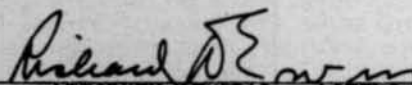


(3) Without objection the Trustees approved expenditure of \$445.55 for janitorial supplies for the new building, and \$32.45 for seat covers for Trustees automobile.

SUBJECTS UNDER CHAPTER 18296

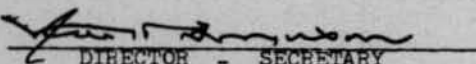
Upon motion duly adopted, the Trustees approved Report No. 806 listing two regular bids for sale of Murphy Act land, and authorized execution of deeds therefor.

Upon motion duly adopted, the Trustees adjourned.



ATTORNEY GENERAL - ACTING CHAIRMAN

ATTEST:

  
DIRECTOR - SECRETARY

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Tallahassee, Florida  
February 27, 1962

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

Van H Ferguson

Director-Secretary

Upon motion duly adopted, the minutes of the meeting held on February 20, 1962, were approved.

LAND SALES

BAY COUNTY - File No. 1069-03-253.12. On January 16 the Trustees considered application by Atlanta & St. Andrews Bay Railway Company, abutting upland owner, with offer of \$50.00 per acre for purchase of a parcel of submerged land in St. Andrews Bay in Section 8, Township 4 South, Range 14 West, City of Panama City, containing 7.31 acres, more or less, within the established bulkhead line. The land was advertised for objections only in the Panama City Herald, proof of publication filed with the Trustees and no protest to the sale was received. The appraiser had reported a nominal value of \$5.00 per acre, taking into consideration the water depths and cost of filling.

Upon motion duly adopted, the Trustees confirmed sale of the advertised parcel to the applicant at the price offered.

2-27-62

SARASOTA COUNTY - File No. 1067-58-253.12. On January 16 the Trustees considered application by Gene M. Stirling et al, the abutting upland owners, with offer of the appraised value of \$500.00 per acre for purchase of a parcel of submerged land in Little Sarasota Bay in Section 18, Township 37 South, Range 18 East, containing 1.84 acres, more or less, within the established bulkhead line. The land was advertised in the Sarasota Herald, proof of publication filed with the Trustees, and no protest to the sale was received.

Upon motion duly adopted, the Trustees confirmed sale of the advertised parcel to the applicant at the appraised price.

#### APPLICATIONS FOR LAND

DADE COUNTY - File No. 1034-13-253.12. On January 16 the Trustees referred to a special committee the application by Gerson Blatt and Alfred Lewis as Trustees, who offered \$250.00 per acre for submerged and tidal land appraised at \$2886.00 per acre, located within the established bulkhead line riparian to upland of applicants at Mashta Point, Key Biscayne. Riparian owners at Hurricane Harbor who protested the establishment of the bulkhead line were represented by attorneys, Shutts, Bowen, Simmons, Prevatt and Boureau, which firm wired objections and requested opportunity to present objections should the Trustees decide to sell for less than the appraised price.

The committee composed of Messrs. Ervin, Green and Conner, had met with the applicants and Mr. Ervin reported to the Board. Contrary to applicants' contention of ownership based on U. S. patent of Fractional Section 6, the Attorney General's office held that the unmeandered area was sovereignty land of the state. The applicants would not agree to pay the appraised price of \$2886.00 per acre and in view of the serious legal question Mr. Ervin expressed willingness to accept \$1000.00 per acre as a settlement for the land within the established bulkhead line, the applicants having agreed to quitclaim that portion of the claimed area outside the bulkhead line.

Upon motion by the Attorney General duly adopted, the Trustees authorized the land advertised for objections only and accepted the committee's report, making no decision as to price for the land.

INDIAN RIVER COUNTY - The following resolution was presented for formal adoption:

#### RESOLUTION

WHEREAS, the Board of County Commissioners of Indian River County, Florida, through their duly constituted representative, has advised the staff of the Trustees of their intention to construct an extension of U. S. Highway No. A1A in the area indicated within said county, south of Sebastian Inlet, to connect up with the presently existing road of the same number located in Brevard County, and

WHEREAS, in advising the staff of the Trustees of their intention to construct this road it was made known that it would be necessary to make application to the Trustees for dedication of certain submerged lands located within the right of way as laid out by the State Road Department, and

WHEREAS, an examination of the plans of this highway property as submitted by the Board of County Commissioners of Indian River County, Florida, indicates that it will be in the public interest for the Trustees to dedicate the area of submerged lands required for road right of way purposes as indicated in said plan, and

WHEREAS, it is the sense of the Trustees that this request for dedication will be given favorable consideration upon a showing that the said Board of County Commissioners has fully complied with all provisions of the Florida Statutes, relating to consent of the riparian upland owners affected by any such dedication, NOW THEREFORE,

BE IT RESOLVED THAT:

- (1) The Trustees do hereby agree to execute instrument of dedication to the appropriate governmental agency for road right of way purposes upon the submerged sovereignty land located on the State Road Department plans.
- (2) The dedication to be executed shall be conditioned upon the express provision that the County Commissioners of Indian River County, Florida, shall fully comply with the requirements of all pertinent Florida Statutes, insofar as these provisions require the consent of riparian upland owners affected by such a road right of way dedication of sovereignty land.
- (3) The instrument of dedication shall be conditioned upon the further provision that the submerged lands herein agreed to be dedicated for road right of way purposes shall not foreclose or abrogate the statutory privileges and rights granted by the Florida Statutes, to the upland riparian owners that might be affected by such an instrument of dedication to purchase submerged sovereignty lands within a bulkhead line as lawfully modified by the local governmental agency. It is the sense of this provision that all riparian owners within the area affected shall be entitled to purchase the submerged land riparian to their upland ownership to the bulkhead line as the same may be modified, even though the bulkhead line as modified be located offshore from the area of submerged land herein agreed to be dedicated.

Upon motion by Attorney General Ervin, unanimously adopted, the resolution was formally approved.

PINELIAS COUNTY - (a) The City of Clearwater by Resolution No. 62-20 adopted on February 19, 1962 applied for two strips of submerged land in Clearwater Bay, one 30 feet wide in front of Sunset Court (Street) and one 33.73 feet wide in front of city-owned upland needed for the city's proposed extension of Drew Avenue as a bayfront drive and approach to the new East Bridge under construction on Memorial Causeway. The Director recommended dedication of the two strips (each lying between lands owned by the city or under contract for purchase by the city) for public municipal purposes with the further authorization in event title for the limited purposes were required, that the land be advertised for objections with the city bearing cost of advertising and mailing of notices under Section 253.12 Florida Statutes. The Mayor and other representatives of the city were present and agreed to accept dedication.

(b) The City of Clearwater by Resolution No. 62-21 adopted February 19, 1962 cited the above mentioned project and requested (1) supplemental deed to correct omission of section number in Deed No. 17500 dated in 1926 covering submerged land now owned by the city and to include a strip between present water line and the landward boundary of the deeded parcel, and (2) corrective or supplemental deed to clarify description in Deed No. 17496 dated in 1926. The Director recommended that the supplemental instruments be granted without charge, the first to the city as owner and the second to Saline Hoffpauir as owner (from whom city held contract to purchase by the corrected description).

Upon motion by Comptroller Green duly adopted, the Trustees authorized dedication of the two strips of land for public municipal purposes and approved issuance of the two supplemental or corrective instruments requested by the City of Clearwater.



## BULKHEAD LINES

DUVAL COUNTY - Presented to the Trustees for approval was the bulkhead line established in accordance with provisions of Section 253.122 Florida Statutes by City of Jacksonville Ordinance No. EE-393 adopted by the City Council on January 9, 1962. The Director recommended the bulkhead line located along the westerly and northerly side of the St. Johns River between Forest Street and Copeland Street, except for that portion within the public right of way where no bulkhead was needed.

Upon motion by Mr. Larson duly adopted, the Trustees formally approved the bulkhead line established by the City of Jacksonville with the exception of the portion within the right of way.

MANATEE COUNTY - Presented to the Trustees for approval were bulkhead lines established in accordance with provisions of Section 253.122 Florida Statutes by the County Commissioners of Manatee County on July 24, 1961, located (1) in the Manatee River, southerly shore, beginning east of the City of Bradenton and running easterly to the sawgrass flats and also along the northerly shore of the river commencing at a point approximately opposite the above termination and running westerly to the eastern limits of the City of Palmetto, and (2) also a very short section of bulkhead line in the Bishops Harbor area in Sections 13 and 24 of Township 33 South, Range 17 East.

Upon motion by Mr. Larson duly adopted the Trustees formally approved the bulkhead lines established by the Board of County Commissioners of Manatee County on July 24, 1961.

PINELLAS COUNTY - The Director recommended approval of modification of the bulkhead line west of Fractional Section 10, Township 32 South, Range 16 East, south of Pinellas Bayway and north of Frenchman Creek, St. Petersburg, as established by the Pinellas County Water and Navigation Control Authority in meeting on January 25, 1962. The change in the line provided for enlargement of the holdings of Florida Presbyterian College.

Upon motion duly adopted, the Trustees formally approved the modified bulkhead line established by Pinellas County Water and Navigation Control Authority.

SARASOTA COUNTY - The Director recommended approval for modification of the established bulkhead line as modified and re-established by the Sarasota County Water and Navigation Control Authority on January 31, 1962, located southerly of certain lots in Bay Point Subdivision on Dora Bay in Section 1, Township 39 South, Range 18 East.

Without objection, the Trustees formally approved the modified bulkhead line established by Sarasota County Water and Navigation Control Authority.

## MISCELLANEOUS

DADE COUNTY - On October 24, 1961 the Trustees authorized permit requested by Federal Aviation Agency for a proposed platform in Biscayne Bay 500 feet north of the east end of Biscayne Island. The Federal Agency subsequently advised that the site would not be used and requested cancellation.

Upon motion duly adopted the Trustees authorized cancellation of the permit.

ESCAMBIA COUNTY - W. A. Head applied for State Permit for construction and maintenance of a marina at property zoned commercial at Little Sabina Bay on Santa Rosa Island, held by applicant under 99-year lease from Santa Rosa Island Authority. Approval of the Island Authority and \$100.00 processing fee were on file.

Upon motion duly adopted, the Trustees authorized issuance of the State Permit.

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GLADES COUNTY - City of Moore Haven requested authority to dispose of old buildings on a parcel of reclaimed Lake Okeechobee land conveyed to the city by Trustees Deed No. 19570 dated February 14, 1950 subject to provision for reversion in event use of the land for municipal purposes was discontinued. In addition to the land (bounded by Avenue "I", Caloosahatchee Canal right of way and the state meander), the city on February 24, 1950 obtained deed to the old Everglades Drainage District buildings which were formerly used as the City Hall. The City Attorney advised that the land would continue in use for municipal purposes.

Without objection the Trustees agreed to allow disposition by the city of the old buildings.

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GLADES COUNTY - J. E. Frierson requested 5-year extension of his Grazing Lease No. 1036 which expired February 9, 1962, covering 59 acres of reclaimed Lake Okeechobee bottom land in Sections 14 and 23, Township 42 South, Range 33 East.

Upon motion by Mr. Conner duly adopted, the Trustees authorized extension of the lease for five years at \$1.00 per acre per year with 30-day cancellation clause.

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GLADES COUNTY - D. C. Mitchell requested 5-year extension of his Grazing Lease No. 850 which expired February 11, 1962, covering 40 acres of reclaimed Lake Okeechobee bottom land in Section 12, Township 42 South, Range 32 East.

Upon motion by Mr. Conner duly adopted, the Trustees authorized extension of the lease for five years at \$1.00 per acre per year with 30-day cancellation clause.

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HILLSBOROUGH COUNTY - File No. 677-29-253.124. Without objection the fill permit issued on February 14, 1962 by the Board of County Commissioners of Hillsborough County for filling 212-acre tract in Section 35, Township 31 South, Range 18 East, within the established bulkhead line, purchased under contract by Lyle C. Dickman, was formally approved by the Trustees with requirement, however, that a relief channel be provided as recommended by the Coastal Engineering Laboratory.

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MANATEE COUNTY - Walter S. Hardin on behalf of Manatee County Beach Park and Recreation Commission applied for State Permit to construct three artificial reefs, only one of which was approved by the State Board of Conservation's biologist because Section 309.01 Florida Statutes appeared to preclude dumping junk at the two proposed locations in the Manatee River. The approved location was one mile offshore from the County Public Beach Pavilion in the Gulf of Mexico.

Upon motion duly adopted, the Trustees approved permit for one artificial reef in the approved location for \$50.00 charge.

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MONROE COUNTY - The City of Key West applied for easement for power line purposes across a strip of submerged bottom lands 50 feet wide and approximately 3 miles long in Sections 2, 3, 8, 9 and 10 of Township 67 South, Range 29 East, Monroe County.

Without objection the Trustees granted easement to the City of Key West for power line purposes.

ST LUCIE COUNTY - Without objection the Trustees authorized dedication to the State Road Department for road right of way purposes across a strip of submerged land in the Indian River in Section 34, Township 34 South, Range 40 East, for improvement of State Road 1A1A.

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SARASOTA COUNTY - West Coast Inland Navigation District on behalf of the United States applied for perpetual easement for right of way for Intracoastal Waterway connection to Venice Inlet and turning basin. No bulkhead lines were established and the plat submitted showed the area sought was adjacent to private upland shore.

Upon motion duly adopted the Trustees granted perpetual easement subject to any private riparian rights and compliance with statutory requirements.

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SARASOTA COUNTY - On January 16, 1962, the Trustees authorized perpetual easement to the United States on request of West Coast Inland Navigation District, covering four only out of a group of proposed spoil areas. The Sarasota County Navigation and Water Control Authority had not modified segments of its bulkhead line (one foot offshore) to accommodate the spoil, particularly anticipated in areas where the Trustees had already conveyed submerged lands with the expectation that the sale areas would receive the spoil. Nine of the remaining proposed spoil areas which were revised to minimize infringement on private rights or other damage were represented as the minimum requirement which the District might fix and expect to secure approval of the U. S. Engineers, and were identified as S-24-C-Alt., S-27-1-Alt., S-33-Alt., S-34, S-36-Alt., S-39, S-40-Alt., S-40-1-Alt., S-41-Alt.

Since placement of spoil banks in open waters was objectionable to many owners, the Director recommended that the perpetual easements, if granted, be made subject to any existing riparian rights and compliance with statutory requirements relating thereto, and that the easements contain commitment that the Trustees would make no sales, leases or other commitments of the areas. He read letter from the Board of Conservation approving the request under the circumstances, and mentioned telegraphed objections received. Dewey A. Dye, attorney for the District, stated that the spoil area requirements had been cut to the minimum necessary for construction contracts.

The Trustees discussed the problem and stated that while written consents from upland owners were desirable, in this instance the Board was willing to grant the easements subject to recognition being given that private riparian rights might be affected. The Attorney General recommended provision in the instrument that the District should fully comply with the requirements of any applicable Florida Statutes as to consent of any riparian upland owners affected by such easement, and further conditioned that the rights granted under the easement should not prejudice the rights, if any, of riparian owners who might be adversely affected by use of the spoil areas.

Upon motion by Mr. Larson duly adopted, the Trustees granted easement covering the nine revised spoil areas subject to provisions in the instrument as recommended by the Attorney General.

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VOLUSIA COUNTY - File No. 1052-64-253.124. Without objection, the Trustees formally approved fill permit issued by the Board of County Commissioners of Volusia County to Arthur W. and Jeanne Ecklund for filling submerged land in the Halifax River in Sections 2 and 11, Township 16 South, Range 33 East, within the established bulkhead line.

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TRUSTEES' OFFICE - Upon motion duly adopted, the Trustees authorized employment of a janitor for the Elliot Building at \$160.00 per month, which position had not been provided in the current budget.

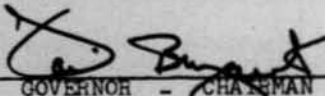
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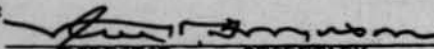


SUBJECTS UNDER CHAPTER 18296

Upon motion duly adopted, the Trustees approved Report No. 807 listing County of Hillsborough Deed No. 670-Duplicate to Mary Jane Thomas approved by the Attorney General for issuance in lieu of original deed dated January 7, 1941, reported lost without having been recorded.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
March 13, 1962

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office at the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

Van H. Ferguson                      Director-Secretary

The Trustees approved the minutes of the meeting on February 27, 1962, which had been approved by the Attorney General and copy presented to each member.

LAND SALES

DUVAL COUNTY - File No. 772-16-253.12. Leferred on January 10, 1961 for investigation by Trustees' engineer and presented on this date was application by Nell L. C. Bostwick, abutting upland owner, to purchase 44 acres of submerged land in Section 20, Township 1 South, Range 27 East within the established bulkhead line. Trustees indicated approval of sale at an adjusted price of \$200.00 per acre with a repurchase condition in the deed in recognition of possible public need for the area in connection with the nearby airport. The Engineer's report included letter from the County Engineer-Zoning Director stating that construction and building permits for the 44-acre area would be limited to structures cleared by the Civil Aeronautics Authority and Duval County Zoning Board. In response to request for an expression from the City of Jacksonville, the Assistant City Engineer by letter of March 8, 1962 advised that the city had no objection to the Trustees eliminating from its deed the provision for repurchase by the city within a five-year period. The city did request inclusion of a provision that applicant or grantee would erect no

improvement not in accordance with F. A. A. criteria for determining obstructions to air navigation and clear zones, which criteria now or hereafter might be applicable to the land involved in the sale. William C. Bostwick stated that the condition would be acceptable to the applicant.

Upon motion by Attorney General Ervin duly adopted, the Trustees confirmed sale of the advertised land to Nell L. C. Bostwick on the basis of \$200.00 per acre with deed to contain a special clause as requested by the City of Jacksonville.

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MANATEE COUNTY - File No. 1068-41-253.12. On January 16, 1962 the Trustees considered offer of the appraised value of \$400.00 per acre from Lewis J. Barolo, abutting upland owner, for purchase of a parcel of submerged land in Sarasota Bay in Sections 2 and 11, Township 35 South, Range 16 East, 13.335 acres, more or less. The land was advertised in the Bradenton Herald, proof of publication filed with the Trustees, and no protest to the sale was filed.

Upon motion duly adopted, the Trustees confirmed sale of the advertised parcel to the applicant at the appraised price.

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MONROE COUNTY - File No. 914-44-253.12. On January 16, 1962 the Trustees considered offer of the established price of \$300.00 per acre from Karl O. Thompson, abutting upland owner, for purchase of a parcel of submerged land in the Straits of Florida south of and adjacent to a part of Government Lot 1 in Section 13, Township 62 South, Range 38 East, 4.2 acres, more or less, at Key Largo. The land was advertised in the Key West Citizen, proof of publication filed with the Trustees, and no objection to the sale was received.

Upon motion duly adopted, the Trustees confirmed sale of the advertised parcel to the applicant at the price offered.

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MONROE COUNTY - File No. 1076-44-253.12. On January 23 the Trustees considered offer of established price of \$300.00 per acre from Harold B. Todd and wife, abutting upland owners, for purchase of a parcel of submerged land in Buttonwood Sound in Section 28, Township 61 South, Range 39 East, 0.33 of an acre, more or less, at Key Largo. The land was advertised in the Coral Tribune, Key West, Florida, proof of publication filed with the Trustees, and no objection to the sale was received.

Upon motion duly adopted, the Trustees confirmed sale of the advertised parcel to the applicants at the price offered.

#### APPLICATIONS FOR LAND

MONROE COUNTY - File No. 1077-44-253.12. Delbert L. Layton, abutting upland owner, represented by G. A. Crawshaw, offered the established price of \$300.00 per acre for a parcel of submerged land in the Bay of Florida in Section 33, Township 64 South, Range 35 East, 11.0 acres at Long Key. The layout was planned to take care of the reservation desired by the State Road Department.

Upon motion duly adopted, the Trustees authorized the parcel advertised for objections only.

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MONROE COUNTY - File No. 1080-44-253.12. D. W. Matson, Secretary of Middle Torch Key Estates, Inc., the abutting upland owner, offered the appraised price of \$375.00 per acre for purchase of a parcel of submerged land in Pine Channel in Section 18, Township 66 South, Range 29 East, 4.0 acres at Middle Torch Key. The applicants desired additional land to widen lots and allow a turn-around at the end of the road. The Director said that continuation of the area bulkhead line should be tapered back to the natural shore line in future applications.

Upon motion duly adopted, the Trustees authorized the parcel advertised for objections only.

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MONROE COUNTY - File No. 1098-44-253.12. Richard M. Snyder and wife, abutting upland owners represented by G. A. Crawshaw, offered the established price of \$300.00 per acre for a parcel of submerged land in the Straits of Florida in Section 8, Township 62 South, Range 38 East, 0.71 of an acre at Plantation Key.

Upon motion duly adopted, the Trustees authorized the parcel advertised for objections only.

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PALM BEACH COUNTY - File No. 1095-50-253.12. Frank Meade, Sr., abutting upland owner, represented by K. C. Mock & Associates, offered the appraised price of \$1285.00 per acre for purchase of a parcel of submerged land in Lake Worth in Section 10 Township 45 South, Range 43 East, 2.37 acres in the Town of Hypoluxo within the established bulkhead line.

Upon motion duly adopted, the Trustees authorized the parcel advertised for objections only.

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VOLUSIA COUNTY File No. 1097-64-253.12. Bellemead Development Corporation, abutting upland owner, represented by Stepp, Inc., offered the appraised price of \$200.00 per acre for purchase of a parcel of submerged land in the Halifax River in Section 11, Township 16 South, Range 33 East, 1.0 acre within the established bulkhead line.

Upon motion duly adopted, the Trustees authorized the parcel advertised for objections only.

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PALM BEACH COUNTY - File No. 801-50-253.12. On March 14, 1961 the Trustees granted to the City of West Palm Beach submerged Lake Worth lands bounded north by projection of First Street, south by projection of Fern Street, and easterly by Department of the Army Corps of Engineers permit line (SAKSP 55-398), but excluded the area claimed by Newell-Brown interests described as Lot 25 Park Point, Plat Book 18 at page 63. The Attorney General and the Staff were advised that the adverse claim had been resolved and the Director recommended granting the Newell, et al, parcel to the city by instrument uniform with the form of Deed No. 22754 dated April 5, 1961 upon receipt of satisfactory evidence of settlement.

Upon motion by Attorney General Ervin, seconded and adopted, the Trustees granted to the City of West Palm Beach the lot which had been involved in litigation between the Newell-Brown interests and the city, and, subject to receipt of satisfactory evidence of settlement of all litigation and adverse interests, the Trustees authorized issuance of instrument conveying said Lot 5.

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BREVARD COUNTY - The Board of County Commissioners of Brevard County by Resolution of January 18, 1962, requested grant of a sovereignty mangrove island in Sykes Creek in Section 25, Township 24 South, Range 36 East, approximately 600 feet northerly of "Kiwanis Island" which was being developed by the county as a public recreation area under dedication by the Trustees. Consent of the nearest private riparian owners to dedication of both islands was obtained prior to commitment of Kiwanis Island. The County furnished survey of the island, approximately 16 acres, and was prepared to commence filling and improvement at an early date.

The Director recommended dedication for public park and recreational purposes under supervision and control of the County, with provi-



sion for revocation in the event of conversion to other use or for three consecutive years of non-use.

By unanimous vote the Trustees approved dedication of the sovereignty area for public recreation under supervision and control of the Board of County Commissioners with provisions in the instrument as recommended by the Director.

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#### MISCELLANEOUS

BAY COUNTY - On January 23, 1962, the oil and minerals reserved in certain lands aggregating 140 acres conveyed by Trustees Deed Nos. 19679, 19985 and Murphy Act Deed Nos 723 and 828 were authorized by the Trustees for sale to the record owners at the regular release rates upon assurance being given that the lands would be included in a housing project and used as building sites. Subsequently the applicants, Isler, Welch and Jones on behalf of clients, found that Lots 11 and 15 of Section 14, Township 4 South, Range 15 West, included in the project were subject to the reservation contained in Deed No. 18279 and applied for sale or release at the regular rate.

Without objection, the Trustees approved processing of release as to said Lots 11 and 15 to carry out the intent of the authorization of January 23rd.

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COLLIER COUNTY - On July 18, 1961 State Permit was authorized on application by the City of Naples to construct two groins at property of H. L. Bradley on the Gulf of Mexico under agreement between city and owner and in accordance with Coastal Laboratory erosion study paid for by the city. Permit was issued for \$10.00 charge and \$600.00 surety bond was required since the installation was for private frontage. Subsequently the city requested waiver of the bond requirement, explaining that it had developed a plan of installation and maintaining coastal structures by the city to insure preservation of beaches within the municipality.

Without objection the Trustees approved waiver of the bond requirement in view of the fact that the groin installations would be built and maintained by, and become the property of the City of Naples.

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GLADES COUNTY - On October 31, 1961 the Trustees granted to J. E. Wiggins, holder of Grazing Lease No. 817, a 90-day extension effective November 2, 1961. The lease covered reclaimed Lake Okeechobee land between upland of U. S. Sugar Corporation and the levee right of way for which the corporation's application to purchase was pending, certain requirements of the Central & Southern Florida Flood Control District not having been finalized. On August 1, 1961 when purchase application was considered, the Staff recommended 90-day cancellation notice upon sale confirmation, and since the sale was not consummated Mr. Wiggins requested further lease extension and tendered rental.

Without objection the Trustees authorized 90-day extension of Grazing Lease No. 817.

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LAKE AND POLK COUNTIES - Upon motion duly adopted, the Trustees authorized issuance of permits to the following upland owners to remove stated amounts of fill material from lake bottoms riparian to their properties to improve uplands subject to compliance with permit regulations and recommendations of the Game and Fresh Water Fish Commission:

- (1) Lake Norris in Lake County. Application by Tommie Howard for 1000 cubic yards of material for \$50.00 charge.
- (2) Lake Reedy in Polk County. Application by Richard McKenzie for 450 cubic yards of material for minimum charge of \$25.00.

- (3) Lake Pierce in Polk County. Application by Marion O. Denton for 1250 cubic yards for \$62.50 charge.
- (4) Lake Marion in Polk County. Application by James Edwards for 10,000 cubic yards for \$500.00 charge.

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LEVY COUNTY - W.D. Reynolds on behalf of Robison Land and Lumber Company of Alabama, Inc., applied for ex parte disclaimer of the SW $\frac{1}{4}$  of SE $\frac{1}{4}$  and S $\frac{1}{2}$  of SW $\frac{1}{4}$  of Section 23, Township 15 South, Range 15 East and the SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 5, Township 16 South, Range 16 East. Records in the State Land Office showed that the land in Section 23 was sold November 22, 1865, the land in Section 5 was sold December 1, 1865, payment of the purchase price was received by the State with original receipts on file but no record was made of any deed issued for either sale. Applicant claimed ownership through chain of conveyances and paid taxes for over thirty years.

Upon motion duly adopted, the Trustees authorized issuance of the disclaimer for \$25.00 handling charge to clear the record title, the State having sold the land, received full payment and had no present interest.

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MANATEE COUNTY - File Nos. 738-41-253.124 and 776-41-253.124. Upon motion duly adopted the Trustees formally approved two fill permits issued by the Board of County Commissioners of Manatee County to H. H. Howell and Manatee Fruit Company to fill submerged bottom lands conveyed by the Trustees.

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PALM BEACH COUNTY - Sherrill and Blanton on behalf of K. C. Smith, grantee in Trustees Deed No. 18522 dated June 22, 1948, applied for corrective deed to correct an error in the description which showed 74.2 feet in lieu of 274.2 feet.

Without objection, the Trustees authorized issuance of corrective deed for handling charge of \$10.00.

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PALM BEACH COUNTY - The Florida Inland Navigation District on behalf of the United States of America applied for eleven temporary spoil areas in Lake Worth for the period beginning April 1, 1962 and extending three years to March 31, 1965.

Upon motion duly adopted the Trustees granted temporary easement as requested.

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PALM BEACH COUNTY - The Florida Inland Navigation District on behalf of the United States of America applied for a permanent pipe line access easement over submerged bottoms in Lake Worth in Section 9, Township 42 South, Range 43 East, Palm Beach County, across a 100-foot strip approximately 380 feet long between the northeasterly right of way line of the Intracoastal Waterway and MSA 626-B.

Upon motion duly adopted the Trustees granted the permanent easement to the applicant.

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PINELLAS COUNTY - Elmer M. Smith applied for State Permit for commercial dock in Clearwater Harbor at Lot 28, Bayside Subdivision. The application was approved by Pinellas County Water and Navigation Control Authority, written consent of adjacent owners filed, and processing fee of \$100.00 tendered.

Without objection, the Trustees authorized issuance of the requested permit for \$100.00 standard fee.

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STATE PERMIT FOR PIER EXTENSIONS - Policy. Pinellas County Water and Navigation Control Authority made inquiry as to whether commercial and public pier extensions required the \$100.00 processing fee for

State Permit, pointing out the case of a proposed extension of the City of Clearwater pier at Causeway Boulevard from 550 feet to 1000 feet into the Gulf. The Director explained Staff recommendations on extensions.

Upon motion duly adopted the Trustees approved as policy that State Permits should be required for extensions of piers constructed prior to requirement of State Permits but that the \$100.00 processing fee might be waived where reconstruction or moderate extension was made and there was no apparent infringement upon public and private rights.

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ST. LUCIE COUNTY - Upon motion duly adopted, the Trustees authorized dedication to the State Road Department for roadway purposes of a 66-foot wide strip of submerged bottoms of Ten Mile Creek in Sections 32 and 33 of Township 35 South, Range 39 East.

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Motion was made and adopted that the following resolution be adopted by the Trustees to certify to the Tax Assessors lands held by the Trustees of Internal Improvement Fund for assessment of taxes of Central and Southern Florida Flood Control District:

#### RESOLUTION

BE IT RESOLVED by the Trustees of the Internal Improvement Fund of the State of Florida that pursuant to Section 30 of Chapter 25209, Laws of Florida, Acts of 1949, being Section 378.30 Florida Statutes 1951, the said Trustees hereby certify to the Tax Assessor of each county having land within Central and Southern Florida Flood Control District a list of lands held by said Trustees in said county which lie within said Flood Control District, for the assessment thereon of said Flood Control District taxes.

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TRUSTEES AS STATE BEACH AND SHORE EROSION AGENCY - The City of Deerfield Beach in Broward County, represented by Mayor Hans R. Pufahl, City Commissioners Ross B. Henderson, Jim Sheller, Otis L. Tanner, J. C. Mitchell, requested state participation in financing emergency erosion control measures needed by reason of serious damage caused by last week's Atlantic storm tides. Dr. Per Bruun of the Coastal Engineering Laboratory reported on his investigation and recommended emergency works, including revetment along the public beach, seawall protection works, modification and repair of existing groins at an estimated cost of \$135,000.00. The Trustees under Section 253.65 Florida Statutes were authorized to contribute matching funds on a fifty percent basis for erosion control, and after discussion it was suggested by the Attorney General that a committee composed of Trustees' Engineer, Director and Dr. Per Bruun work on the plans and formal agreement for participation by the Board up to \$65,000 as matched by the city, with the funds confined strictly for erosion control measures. Dr. Bruun reported that the material used in the recommended immediate emergency works could be salvaged and reused in subsequent protective structures.

A serious erosion problem at Anastasia State Park in St. Johns County was discussed by Dr. Bruun and Roy Brooks, Assistant Director of the Florida Park Service who made no request for funds at this time. In addition to any immediate measures to be taken, Comptroller Green suggested a long range study by the Park Board and a request for action by the 1963 Legislature since state property and Highway AIA was imperiled. The Board referred this erosion situation to the committee named above for study.

In view of the extreme emergency of the erosion situation at the City of Deerfield Beach, the Trustees authorized the Engineer, Director and Dr. Bruun as a committee to meet with the city representatives and develop agreement whereunder the matching of city funds may proceed to a maximum of 50% and a maximum amount of



\$65,000.00 by the Trustees from the unexpended balance available under Section 253.65 Florida Statutes for such emergency control measures as are required to meet the public needs in the Deerfield Beach area; also, the Trustees requested a long range study be made on erosion at Anastasia State Park and referred this situation to the special committee for recommendation to the Board.

TRUSTEES FUNDS - Joint Action with Board of Commissioners of State Institutions. Terry Lee presented request for authority to remove the present garage and storage building at the Executive Residence and replace it with a suitable garage which would provide needed storage space and ample living quarters, with the Trustees to underwrite whatever funds were necessary for the purpose. Comptroller Green recommended that request be made to the next Legislature for an appropriation to reimburse the Trustees for this expenditure.

On behalf of the Trustees, motion was made by Mr. Green and duly adopted that authority be granted for removal and rebuilding of the garage and storage facilities at the Executive Mansion with the necessary expense to be taken care of by an advance from Trustees' funds.

SUBJECTS UNDER CHAPTER 18296

Upon motion by Mr. Larson duly adopted, the Trustees approved Report No. 808 listing six bids for sale of lands under the Murphy Act.

HILLSBOROUGH COUNTY - The City of Tampa offered \$40.00 for Lot 5, Block 2, Englewood Subdivision, Plat Book 2 at page 59, less railroad right of way, which vested in the State of Florida under the Murphy Act for unpaid taxes assessed for the years 1928, 1929 and 1932. The lot was needed for inclusion in the drainage ditch system of the city.

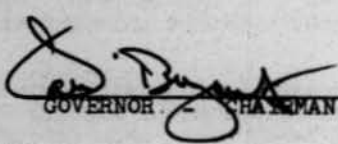
Without objection, the Trustees authorized conveyance to the City of Tampa under Chapter 21684, Acts of 1943, for the price offered which was in line with the 1961 assessed value.

OSCEOLA COUNTY - The State Road Department requested easement across Lots 24 and 27, Block 9 of Magnolia Park for construction of Road S-525 (Section 92550-2601, SHD No. 63). The lots were certified to the State of Florida under tax sale certificate Nos. 3112 of July 4, 1927 and 1846 of August 3, 1931.

Without objection, the Trustees authorized easement to the State Road Department as requested.

Upon motion duly adopted, the Trustees adjourned.

ATTEST:   
DIRECTOR - SECRETARY

  
GOVERNOR - CHAIRMAN

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	Doyle Conner	Commissioner of Agriculture

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Van H. Ferguson	Director-Secretary
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APPLICATIONS FOR LAND

MONROE COUNTY - File No. 1103-44-253.12. F W C Corporation, abutting abutting upland owner, represented by G. A. Crawshaw, offered the established price of \$425.00 per acre for 0.65 of an acre of submerged land in the Bay of Florida in Section 32, Township 63 South, Range 37 East, Upper Matecumbe Key.

Upon motion duly adopted, the Trustees authorized the parcel advertised for objections only.

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MONROE COUNTY - File No. 1104-44-253.12. Roy L. Irwin and wife, abutting upland owners, represented by G. A. Crawshaw, offered the established price of \$300.00 per acre, or \$100.00 minimum in this instance, for 0.27 of an acre of submerged land in the Bay of Florida in Section 13, Township 62 South, Range 38 East, Key Largo.

Upon motion duly adopted, the Trustees authorized the parcel advertised for objections only.

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MONROE COUNTY - File No. 1107-44-253.12. Suzanne Kline, the abutting upland owner, represented by Bruce Vining, offered \$150.00 per acre for a parcel of submerged land in Barnes Sound in Section 35, Township 59 South, Range 39 East and Section 2, Township 60 South, Range 39 East, 145.1 acres at Main Key. The area sought was within the traverse of the mangrove area.

Upon motion by Comptroller Green duly adopted, the Trustees authorized the parcel advertised for objections only.

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PALM BEACH COUNTY - File No. 1072-50-253.12. Sam Simonhoff et al, abutting upland owners, represented by Brockway, Weber and Brockway, offered the appraised price of \$1934.00 per acre for a parcel of submerged land in Jupiter Sound in Section 30, Township 40 South, Range 43 East, 0.989 of an acre within the established bulkhead line.

Upon motion duly adopted, the Trustees authorized advertisement of the parcel for objections only.

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LEE COUNTY - Presented to the Trustees was request of the Board of Public Instruction of Lee County, by Resolution adopted on February 7, 1962, for a 44.38-acre parcel on the north side of State Road S-867 on Sanibel Island for a permanent public school site with construction to begin immediately. The parcel was within a zone in which the United States Government Survey of 1875 appeared grossly erroneous, about one-third appearing to lie within Gov. Lot 3, the balance being submerged sovereignty land under public waters, according to the U. S. Survey. None of the area was submerged, the northerly portion being salt flats and mangrove, the remainder being shell ridges alternating with lower ground. Recent survey located the southwest corner of Section 21 as laid out in the U. S.

Survey of 1875 and since the State Road was in place and constituted the southwest boundary of the parcel sought, the staff felt that the parcel location was sufficiently established to justify conveyance using a legal description referenced to the southwest corner of Section 21. The Director recommended conveyance for public school purposes with provision for reversion in event of use for other purposes or for three consecutive years of non-use, and without charge or advertisement (as authorized by Section 270.09 Florida Statutes).

The Trustees and State School Superintendent Tom Bailey discussed the size of the parcel, whether its location along heavily traveled road would constitute a hazard and the suggestion was made that the Trustees release part of the area for school purposes immediately with a commitment that the remainder be held for public purposes which would not interfere with the school but would serve as a buffer zone, and with access to the highway for the school parcel. The Governor asked that the county submit for review a proposed land use plan showing what was actually needed.

Without objection, the Trustees tentatively agreed to make available up to twenty-five acres for school purposes subject to the County School Board's land use plan being brought back for review, with a commitment that the Trustees would hold the remainder of the tract for public purposes consistent with the school.

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OKEECHOBEE COUNTY - John Lee Rhymes made application for Lots 23, 25 and 26 of Block 55 Okeechobee Gardens, Plat Book 2, page 30, with offer of the appraised value of \$200.00 per lot. The lots were former Murphy Act parcels purchased by the Trustees from the State and were located within 400 feet of State Road No. 70, two miles east of the City of Okeechobee.

Upon motion duly adopted, the Trustees authorized advertisement for competitive bids, the notice and conveyance to be subject to any outstanding municipal and/or drainage taxes.

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#### MISCELLANEOUS

DADE COUNTY - The Trustees declared terminated and cancelled, for the record, Oil and Gas Lease No. 108 issued October 21, 1929, to East Coast Oil and Natural Gas Company, for failure to pay rentals and royalties and failure to keep the covenants and obligations set forth in the lease including drilling of wells within the prescribed periods. Made for five years covering 43,907.40 acres, the lease required payment of annual rental and one well to be drilled within each 15,000 acres. Four extensions were granted, the last being one year from March 1, 1934, and one well was drilled in 1932. The file disclosed no other wells drilled nor payment of rentals, taxes or royalties since the last extension, the lessee corporation was dissolved, and no objections to cancellation were received from former officers to whom notice was issued in 1961.

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GLADES COUNTY - Central and Southern Florida Flood Control District applied for easements for rights of way over reclaimed lake bottom lands in Lake Okeechobee in Sections 7, 14, 15, 16, 17, 18, 23 and 24 in Township 42 South, Range 33 East, Glades County, being strips of land 160 to 200 feet in width for borrow canal and seepage dike purposes for the enlarging of Levee LD-1.

The Director recommended that easements be granted and in instances where they were located across lands under lease, that adjustment be made in the leases and payments prorated accordingly.

Upon motion by Mr. Green duly adopted, the Trustees accepted the recommendation of the Director as the action of the Board.

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LAKE COUNTY - The State Road Department applied for (1) dedication for roadway purposes across the submerged bottoms of Dead River and



Lake Eustis in Section 24, Township 19 South, Range 25 East and Sections 29 and 30 in Township 19 South, Range 26 East, being a strip of submerged land within 150 feet of the survey line of State Road No. 500; and (2) temporary easement for dredging purposes over a parcel of submerged land in Lake Eustis in Sections 19 and 30, Township 19 South, Range 26 East.

Upon motion by Mr. Green duly adopted, the Trustees granted the dedication and the temporary dredging easement as requested by the State Road Department.

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LAKE, MARION AND POLK COUNTIES - Upon motion duly adopted, the Trustees authorized issuance of permits to the following upland owners to remove stated amounts of fill material at standard yardage rates from lake bottoms riparian to their properties to improve uplands subject to compliance with permit regulations and recommendations of the Game and Fresh Water Fish Commission:

Lake Dora in Lake County:

- (1) Application by E. R. Jelsma for 3000 cubic yards of material for \$150.00 charge.
- (2) Application by Leonard Holbrook for 400 cubic yards of material for \$25.00 minimum charge.

Lake Weir in Marion County:

- (3) Application by Mary E. and William W. Kendall for 500 cubic yards of material for \$25.00 charge.

Lake Reedy in Polk County:

- (4) Application by D. Miles Davis for 450 cubic yards of material for \$25.00 charge.
- (5) Application by M. C. Hyles for 400 cubic yards of material for \$25.00 charge.
- (6) Application by Alec Restina for 600 cubic yards of material for \$30.00 charge.

Lake Shipp in Polk County:

- (7) Application by Central Florida Gas Corporation for 5900 cubic yards of material for \$295.00 charge.

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MONROE COUNTY - William J. Pruitt on behalf of Lee F. Franklin applied for renewal of Lease No. 522 which expired April 6, 1962, covering 1.02 acres east of and adjacent to the right of way of State Road No. 5 just southerly of the mangrove area previously sold by the Trustees at Division Point on Barnes Sound. Rental under the old lease was \$100.00 per year. Purchasers of the adjacent area filed waiver of objections to the fishing camp operation and the Director recommended new three-year lease with rental of \$20.00 per month and 120-day cancellation clause.

Upon motion duly adopted, the Trustees authorized issuance of new lease for three years at \$20.00 per month with 120-day cancellation clause.

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MONROE COUNTY - Philip W. Smith on behalf of Stanley H. Swift applied for new deed to replace Deed No. 20099 issued July 8, 1952 to Stanley H. Swift and wife conveying 0.76 acre of sovereignty land, which original deed was lost prior to recording.

Without objection the Trustees authorized issuance of replacement deed for handling charge of \$10.00.

3-20-62

PALM BEACH COUNTY - Without objection the Trustees authorized issuance of corrective deed to Joe W. Mimms et ux to correct error in name of grantee in original Trustees Deed No. 22961(1014-50) dated December 15, 1961.

PALM BEACH COUNTY - File No. 843-50-253.124. Without objection the Trustees formally approved fill permit issued by the Town of Hypoluxo on February 13, 1962 to Frank Meade, Jr., for filling a parcel of submerged land in Lake Worth in Section 10, Township 45 South, Range 43 East, 1.4 acres within the established bulkhead line.

PALM BEACH COUNTY - Spencer Boat Company applied for State Permit for installation of two commercial piers and boat lift at the applicant's property in Lot 3, Gale Lake Worth Plat No. 1 Revised, Plat Book 3, page 9, on Lake Worth in the City of West Palm Beach. City issued permit and adjacent waterfront owners filed consent.

Without objection the Trustees authorized issuance of State Permit to the applicant for \$100.00 processing fee.

POLK COUNTY - W. J. Touchton, Secretary of the Board of Supervisors of Wahneta Drainage District, submitted recommendation that the Trustees as Board of Drainage Commissioners of the State under Section 298.12 F. S., appoint Joseph E. Owen to succeed himself as supervisor for a three-year term from the expiration of his current term, April 13, 1962. Pursuant to advertised call for land owners' meeting to elect supervisors, there was less than a quorum of land owners or a majority of acreage represented and no legal election could be had.

Upon motion duly adopted, the Trustees as the Board of Drainage Commissioners appointed Joseph E. Owen as Supervisor of Wahneta Drainage District for three-year term as recommended.

TRUSTEES BUILDING - (1) Request was made by the Director for authority to make disposition and strike from Trustees' inventory the following equipment and fixtures purchased by the Trustees for use during occupancy of the building at 803 South Adams Street, items being in good condition but not needed in the new offices at the Elliot Building:

<u>Items</u>	<u>Price Paid</u>
12 Air Conditioners	\$2,165.00
4 Natural gas unit heaters	1,000.00
24 Fluorescent light fixtures	451.32
1 Electric Water Cooler	186.00
Total paid by Trustees	\$3,802.32

Senator Hodges, Director of the Board of Conservation, requested that the items be left installed in the building, which the Division of Water Resources of the State Board of Conservation planned to occupy when vacated by the Trustees' staff.

Upon motion by Comptroller Green duly adopted, the Trustees approved having the items left in place and fixed \$1500.00 as a fair price for the entire lot, which Senator Hodges indicated was acceptable.

(2) Upon motion by Mr. Green seconded and adopted, the Trustees authorized purchase of the following equipment for the Elliot Building:

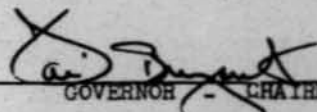
2 carpet-to-rubber door mats	\$55.20
2 tables, 10 chairs, 1 percolator,	
1 waste receptacle and 1 pitcher	\$342.07

3-20-62

SUBJECTS UNDER CHAPTER 18296

Upon motion duly adopted, the Trustees approved Report No. 809 listing one regular bid for sale of Murphy Act land and authorized issuance of County of Hillsborough Deed No. 4993-Duplicate to W. W. Harris et al, in lieu of original deed which was reported lost prior to recording.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
March 27, 1962

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture
	Van H. Ferguson	Director-Secretary

Upon motion duly adopted, the Trustees approved the minutes of the meetings held on March 13 and 20, 1962, which were approved by the Attorney General and copy presented to each member.

LAND SALES

COLLIER COUNTY - File No. 1093-11-253.12. On February 6 the Trustees considered application by Key Island, Inc., abutting upland owner represented by Henderson, Franklin, Starnes and Holt, with offer of the appraised value for all of the sovereign areas in Sections 21, 22, 27, 28, 34 and 35 in Township 50 South, Range 25 East, and Sections 2, 3, 10 and 11 in Township 51 South, Range 25 East, containing 601.5 acres, more or less, within the established bulkhead line for Keywaydin Island. The land was advertised for objections only in the Collier County News and proof of publication was filed with the Trustees. Julius F. Parker on behalf of Coastal Petroleum Company, holder of lease on certain property, filed objection to the proposed sale. With reference to the \$75.00 per acre appraisal, Engineer William R. Kidd reported that his inspection of the tract did not indicate a greater value.

Governor Bryant expressed concern over the lack, in many appraisal reports, of any showing of detailed analysis of the various factors which affect fair market value. The Attorney General stated that



Messrs. Robert Parker, William R. Kidd and George F. Meier had reviewed appraisal theories and procedures used for State Road acquisition. Attention was called to the fact that all or most appraisals for the Road Department involve taking, severance and consequential damages to upland and that appraisal of the fair market value of submerged lands for sales only to riparian owners involved some considerations which were different from the evaluation of upland. The Governor requested that further conferences be had with Mr. Meier to outline improved procedures or methods for determination of values by appraisal.

Upon motion by Comptroller Green duly adopted, the Trustees overruled the objections of Coastal Petroleum Company and confirmed sale of the advertised land to the applicant on the basis of the appraised value.

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MONROE COUNTY - File No. 1081-44-253.12. On January 30 the Trustees considered application by Jane Long, the abutting upland owner, with offer of the established price of \$250.00 per acre for a parcel of submerged land in the Straits of Florida in Section 8, Township 66 South, Range 33 East, 1.65 acres in Fat Deer Key. The parcel was advertised in the Key West Citizen, proof of publication filed with the Trustees, and no protest received.

Upon motion by Mr. Larson duly adopted, the Trustees confirmed sale of the advertised parcel to the upland owner at the price offered.

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PINELLAS COUNTY - File No. 739-52-253.12. Presented was application by Nora Mae Peabody, Roger L. Stevens, Mary Starr Powell and Bernard P. Powell, riparian upland owners, for purchase of 12.95 acres of Clearwater Harbor submerged lands between the established bulkhead line and the 2.03 acre submerged parcel which was conveyed to applicants in 1961 by Trustees' Deed No. 22931, all being riparian to Sand Key upland of applicants in the southerly 500 feet of Section 19, Township 29 South, Range 15 East. The Pinellas County Water and Navigation Control Authority approved the sale and on November 14, 1960 granted permit for dredging and filling (DF115) according to a plan which would provide a bridge 96 feet long between the road and a proposed island fill. The sale of submerged lands in 1961 to the applicants and to Ed C. Wright was made at a reduced price in recognition of the importance of the then proposed new bridge at Little Pass and the road southerly from the Little Pass bridge. The Staff recommended sale at the appraised price of \$1000.00 per acre and requirement of a bridge in the development in order to minimize tidal and related problems.

H. H. Baskin, Jr., presented information regarding the bridge length and requested conditional approval of sale and fill permit with provision for bridge 30 feet in length, pointing out that the small area to be filled would not justify a 96-foot bridge. He indicated that the county would clarify its permits based on 30-foot bridge and that action by Trustees on this date would enable applicant to take advantage of favorable dredge and fill contract.

The consensus of the members was not favorable toward the proposed finger-type fill development and the Trustees declined to take any action on the application.

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#### MISCELLANEOUS

DUVAL COUNTY - Upon motion duly adopted the Trustees authorized issuance of State Permit to Herschel C. Duval for marina at applicant's Lot 26, Riverfront Place fronting Goodby's Lake, for \$100.00 processing fee.

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LAKE COUNTY - Pringle and Davis, on behalf of client, requested certified copy of entire Deed No. 4386 issued by Trustees to

James A. Stewart September 19, 1867, conveying NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 32, Township 20 South, Rang 26 East, patented to the State in 1856. No copy was of record in the public records of Lake County or in the Land Office but records in the Land Office showed that the deed was issued on the subject land and other tracts and since conveyances of public lands at that time were issued without reservations of any kind, the Director recommended that disclaimer of any right or interest which the State held on September 19, 1867, be issued for handling charge of \$100.00.

Upon motion by Mr. Larson duly adopted, the Trustees approved issuance of disclaimer as recommended by the Director, for \$100.00 charge.

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LEVY COUNTY - W. D. Reynolds, on behalf of Robinson Land and Lumber Company of Alabama, Inc., applied for deed covering the W $\frac{1}{2}$  of W $\frac{1}{2}$ , SE $\frac{1}{4}$  of SW $\frac{1}{4}$ , and S $\frac{1}{2}$  of SE $\frac{1}{4}$  of Section 24, Township 16 South, Range 15 East, 280 acres. The land was patented to the State July 11, 1904, was never sold as public land, but was assessed for state and county taxes and sold for the unpaid 1930 assessment. Tax deed based on Certificate No. 238, sale of 1931, was issued to G. M. Cannon July 3, 1939 and the purported tax title by subsequent mesne conveyances became vested in applicant January 9, 1948. Applicant claimed possession since 1948, paid taxes for the years 1948 to 1961 inclusive, and the office of the Attorney General reviewed the file and found that applicant was entitled to disclaimer or quitclaim deed for a nominal processing fee by reason of estoppel of the State.

Upon motion duly adopted, the Trustees authorized issuance of quitclaim deed with the statutory reservation of oil and minerals for handling charge of \$25.00.

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MONROE COUNTY - W. Curry Harris, on behalf of Kirby L. McClain, Jr., et al, holders of purchase Contract Co. 22481, requested deed covering Parcel "C" of the contract, 11.73 acres. The contract covered three parcels of Bay of Florida submerged lands in Section 26, Township 67 South, Range 25 East at Raccoon Key. The Director recommended the conveyance, upon receipt of full payment for the parcel, with the contract to be credited and continued as to the other two parcels.

Upon motion adopted without objection, the Trustees approved the recommendation of the Director as the action of the Board.

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MONROE COUNTY - Hugh J. McManigal, owner of Fractional Section 16, Township 63 South, Range 37 East, requested instrument to confirm his title to the area conveyed June 22, 1956 by Board of Education Deed No. 4476 to Cape Sable Corporation, predecessor in title. The fractional section, known as Cotton Key, was meandered in the U. S. Survey of 1873 and vested in the State Board of Education as State School Land, being 36.44 acres according to the official U. S. Survey. Board of Education sale was made at 36.44 acres but applicant found a large part of the meandered fractional section was mangrove and not exposed land at normal high tide. The original U. S. Survey field notes reported "The Key is principally mangrove and overflowed by high tide."

The request was made by reason of the sovereignty character of much of the area meandered as land, and since the true nature of the land was not noted at the time of the sale in 1956, the conveyance by the Board of Education was considered a transfer of school land. The Attorney General reviewed the matter and decided that it would not be improper for the Trustees to disclaim all areas within the meander which appear sovereignty in character, thus confirming title of the Board of Education and its successors in title.

Upon motion by Mr. Green adopted without objection, the Trustees authorized issuance of ex parte disclaimer for handling charge of \$10.00.

OKEECHOBEE COUNTY - Russell Rogers made starting offer of \$100.00 per lot for purchase of Lot 18 in Block "E", Wright & Bass Subdivision; Lot 2 in Block 4 and Lot 24 in Block 5, Bass Subdivision, all in the northeast section of Okeechobee, each lot being 24½ by 85 feet and none contiguous to state-owned lands. The lots vested in the state under the Murphy Act and were included in purchase by the Trustees from the State of Florida. Proposed purchase was reviewed by the Governor's Committee on Recreational Development.

Upon motion duly adopted, the Trustees authorized advertisement for competitive bids based on the starting offer, the notice and conveyance to show the lots subject to any outstanding municipal and/or drainage taxes.

SARASOTA COUNTY - Presented to the Trustees for formal approval was the bulkhead line changed and fixed March 14, 1962 by Sarasota County Water and Navigation Control Authority for applicant, A. B. Edwards, and permit to dredge and fill granted on the same date by the County Authority for a parcel of sovereignty land conveyed by Trustees Deed No. 17148 to Mr. Edwards on April 22, 1924. The area was proposed for disposition of spoil from the Intracoastal Waterway construction, Spoil Area S-40.

Upon motion duly adopted the Trustees formally approved the bulkhead line and dredge and fill permit granted by the County Authority.

CAPITOL CENTER - On February 20 the Trustees authorized William F. Armstrong to handle advertisement for purchase and removal of the two houses located at 102 W. Madison and 720 S. Adams Streets, and no bids were received March 15, 1962. Since that time inquiries were received from persons who were apparently unaware of the sale but wanted to purchase the buildings, and the following bids were submitted:

Curtis Carroll	\$ 181.00
Luther Roberts	60.00
James Gray	51.00
Luther C. Tucker, Jr.	10.00
Oxendine & Son Bldg. Supply (-)	\$3,500.00

Because of the poor condition of the houses Mr. Armstrong recommended that the Trustees grant approval to accept the proposal submitted by Curtis Carroll.

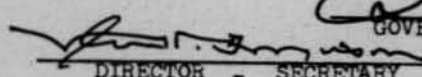
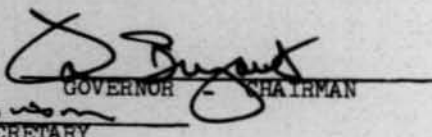
Upon motion by Mr. Larson duly adopted, the Trustees approved sale and removal of the two houses on the high bid of \$181.00.

TRUSTEES OFFICE - Upon motion by Mr. Larson duly adopted, the Trustees authorized purchase of the following equipment for the Elliot Building, prices having been secured locally and reviewed and approved by the Purchasing Council (as to all items subject to review by the Council):

2 secretarial chairs @ \$64.35 less 15%	\$109.40
1 waste basket \$5.10 less 10%	4.59
1 letter-size 4-drawer file \$117 less 15%	99.45
1 electric wall clock \$10 less 10%	9.00
2 30-gal. heavy-duty garbage cans @ \$16.20	32.40

Upon motion duly adopted, the Trustees adjourned.

ATTEST:

 DIRECTOR - SECRETARY  
 GOVERNOR - CHAIRMAN



Tallahassee, Florida  
April 3, 1962

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

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Var. H. Ferguson	Director-Secretary
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#### LAND SALES FOR RECONSIDERATION

PINELLAS COUNTY - Presented for further consideration was the application by Mrs. Ethel E. King, adjacent upland owner, to purchase .15 acres, more or less, of submerged St. Joseph's Sound land within closed bulkhead line established around two islands of applicant in Section 22, Township 28 South, Range 15 East, at Dunedin. Applicant and objectors were heard on January 23 and action deferred pending investigation of the area and consultation by the Trustees' Engineer with City of Dunedin and Pinellas County officials, attorney for private objectors and applicant's engineer. Transcript of City Commission's meeting on February 26 disclosed that applicant had submitted a basic development plan including construction of concrete bulkhead around the area, filling, leveling and planting to minimize wind erosion. Trustees' Engineer and a staff member made ground inspection and report, questioning whether applicant would make heavy investment without direct access by causeway or bridge from the mainland 500 feet from the subject area. City Resolution No. 833 reaffirmed general opposition to sale and improvement of the islands.

Trustees' Engineer suggested deferment for a reasonable time to allow applicant and city to reach an understanding and that, at the end of such period, the Trustees might decide the matter on its merits whether or not such understanding was established. Staff recommended provision in the deed that sale, if made, would carry no obligation to approve or grant access, to which Stephen Hughes agreed, on behalf of Mrs. King. Mr. Hughes stated that applicant had been unable to reach an understanding with the city and that if the dredge which was in the area moved on down the bay the possibility of getting spoil material would be slim.

Upon motion by Mr. Larson seconded by Mr. Green and adopted, the Trustees approved the staff recommendations and directed that the county and city be given opportunity to appear in four weeks for final consideration by the Trustees.

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PINELLAS COUNTY - File No. 743-52-253.12. On December 13, 1960, sale of submerged land in Boca Ciega Bay in Section 31, Township 31 South, Range 16 East, St. Petersburg Beach, was confirmed to William B. Clautice and wife for the appraised value of \$1200.00 per acre for a cut-back area. Contract for 13.45 acres was drawn but never executed, a reduction in price having been recommended to the Board on November 22, 1960, by reason of an item of expense concerning sewer lift station not considered in the appraisal.

Upon motion by Comptroller Green adopted without objection, the Trustees modified the December 13, 1960, approval for sale to be concluded at \$950.00 per acre adjusted price and authorized execution of the contract to purchase the 13.45 acres of submerged land.

4-3-62

## MISCELLANEOUS

BROWARD COUNTY - Representing Gee and Jensen Consulting Engineers, H. P. Wallis presented request on behalf of Ernest C. Cassill for temporary permit to proceed at his own risk to construct two groins in the Atlantic Ocean to prevent erosion damage at Sun Castle Motel near south city limits of Pompano. He stated that application through proper procedures would be submitted to the Corps of Engineers and the Trustees, but temporary approval to proceed immediately was requested from both authorities.

In view of complications, litigation and other difficulties that arose over emergency installation in the Pompano area in 1958, the Trustees declined to authorize the construction without proper processing of permit in compliance with Coastal Engineering Laboratory recommendations and furnishing of bond.

CITRUS COUNTY - Resolution of City Council of Inverness adopted March 6, 1962, requested a parcel of Lake Tsala-Apopka submerged land marginal to the north and east sides of the city's upland to accommodate construction of a sewage disposal plant on city property in Lot 7, Block 108 and Lots 6, 7 and 8, Block 123 Inverness. The Staff recommended that the parcel of submerged land extending about 100 feet into the lake, be dedicated for municipal use subject to revocation for three consecutive years of non-use or for conversion to other uses.

Upon motion duly adopted, the Trustees authorized dedication for public municipal purposes subject to provisions recommended by the staff, for \$10.00 handling charge.

COLLIER COUNTY - City of Naples submitted proposed two-year spoil easement covering two spoil areas which the city was requested by the United States Army Corps of Engineers to make available in connection with channel dredging in Gordon's Pass and Naples Bay. One area was partially upon recently sold submerged land within the established bulkhead line at Keewaydin Island, the balance of the area being outside the bulkhead line; and the staff recommended grant of easement with provision that no filling above normal high water be done outside the bulkhead line. As to the other spoil area, offshore in front of upland of Key Island, Inc., authorization of the easement on this area was recommended with requirement of written consent of the riparian upland owner.

Upon motion by Mr. Larson duly adopted, the Trustees authorized issuance of easement as recommended.

ESCAMBIA AND SANTA ROSA COUNTIES - On December 27, 1960, a ten-year sand and gravel lease was authorized to Pace Sand and Gravel Company covering the sovereignty bottom lands of Escambia River, with royalty 15¢ per cubic yard, \$50.00 monthly minimum and \$5000.00 bond. On January 31, 1961, the lessee was authorized to remove logs from the river in the course of its sand and gravel operations, with a royalty of 10% of the gross amount received for the logs. Lessee had difficulty obtaining the bond, lease was never consummated, and the Director recommended that the authorizations for lease and log removal be rescinded without prejudice.

Application was presented from Florida Gravel Company of Birmingham by its president, G. C. McCullough, for three-year term lease with \$100.00 monthly minimum payment against royalties at the rate of 15¢ per cubic yard and necessary bond as required by the Trustees.

Upon motion by Mr. Larson duly adopted, the Trustees rescinded without prejudice the authorizations of December 27, 1960, and January 31, 1961, in favor of Pace Sand and Gravel Company; also, the Board authorized three-year lease to Florida Gravel Company covering the same sovereignty lands in the Escambia River with royalty of 15¢ per cubic yard, \$100.00 monthly minimum payment, and requirement of \$5000.00 surety bond.

LEE COUNTY - On December 19, 1961, the Trustees authorized sale to A. W. Wilson of 2923 cubic yards of material to be dredged from Estero Bay to improve his lot at Fort Myers Beach, and on January 23, 1962, applicant reported that only 765 cubic yards was needed and sale was confirmed for the reduced amount of material. Subsequently applicant decided to have the sand hauled in rather than dredged, and requested refund of the payment.

Upon motion duly adopted, the Trustees authorized cancellation of Permit No. 1699 and refund to A. W. Wilson of the amount paid, \$38.25.

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PINELLAS COUNTY - Upon consideration of the request made by Resolution of the Town of Indian Rocks Beach South Shore adopted February 27, 1962, the Trustees authorized dedication of submerged land for extension of 190th and 191st Avenues to the established bulkhead line for public street and roadway purposes, subject to revocation in the event of conversion to other use.

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PINELLAS COUNTY - On January 23 the Trustees considered request of the City of Treasure Island for participation in the cost of a complete coastal engineering model study as recommended by the Coastal Engineering Laboratory. The City of Madeira Beach reported no funds for participation but indicated that in event of recommendation by the State Board of Conservation the city would participate on a fifty-fifty basis with Treasure Island, therefore not involving private owners in the cost. Report of the Board of Conservation dated March 7 recommended that actual construction of adequate channel facilities be completed at the earliest possible date, that plans include provision for erosion control, but that plans be so formulated that existing nursery sites would not be disturbed. The Conservation report was read as favorable to the model study which was proposed as a means of scientifically determining the requirements for stabilization of the channel and Johns Pass, and erosion control measures.

The Staff recommended, in the event the City of Madeira Beach declined to participate, that the Trustees match funds offered by Pinellas County and Mrs. E. A. Clark, owner of islands in the area, under formal agreement to be prepared by the Attorney General, in order that the study might provide recommendations of effective measures for erosion control and stabilization, which recommendations would assist the municipality and county in coordinating or limiting development consistent with the best interest of the zone.

On this date Mayor Page from Treasure Island was unable to be present. Madeira Beach, represented by Mayor J. Peter Marinelli and Commissioner Marlin H. Eldred, reaffirmed opposition to the study. Mr. Eldred took the position that the Conservation report showed favorable marine life conditions which should not be disturbed; he disagreed with the report of instability, stated that the purpose of the study should be re-evaluated and that Madeira Beach City Commission Resolution dated March 31 requested dedication of submerged areas for conservation and recreation purposes.

The Director called attention to the Coastal Laboratory's recommendations, the amounts already expended on erosion control groins and jetties, expressions from the Road Department and the U. S. Engineers favoring the study, and the Resolution of January 11 by the Pinellas County Water and Navigation Control Authority agreeing to the model study in the public interest.

After considerable discussion, motion was made by Mr. Larson and adopted that until there was further agreement between the two municipalities the matter would be indefinitely postponed.

4-3-62



SARASOTA COUNTY - Dewey A. Dye, Jr., for West Coast Inland Navigation District, reported with reference to waterway improvement work on the west coast that subject to Trustees' action in February the work proceeded, a number of spoil islands in the bay were eliminated, and Sarasota County and the District approved a plan to eliminate one proposed spoil island by pumping the material onto the Gulf beach owned by five private owners in the Sanderling Beach Club area. The Coastal Engineering Laboratory previously had recommended groins and artificial nourishment because of the erosion problem and groin permits for these owners were approved in July. Mr. Dye asked for some assurance for the five owners that the Trustees would not claim ownership of the material deposited on the beach and that it would not cloud the title of the waterfront property.

Since deposit of spoil along the shore would cause the water line to be moved out, the Director pointed out that it would constitute allowing a fill beyond the bulkhead line (set one foot offshore) without purchase of the submerged land to be filled but expressed belief that most material so placed would be dissipated by tides and wave action.

The Trustees favored the proposal in consideration of approval by the county and the owners, the public benefit to be derived by eliminating the spoil island in the bay and providing artificial nourishment for the beach frontage on the Gulf, with the understanding that it would not be a precedent. Assurance of riparian rights to the five owners would be shown by minutes of this meeting, or, if necessary, reflected in disclaimer.

Director Randolph Hodges of the State Conservation Department and Sarasota County Commissioner Johnson Warren expressed appreciation for the Trustees' cooperation.

Upon motion by Treasurer Larson, duly adopted, the Trustees granted the request of Sarasota County and the West Coast Inland Navigation District for spoil material to be deposited along the particular waterfront area and directed that the minutes show that the five upland proprietors were assured that placing the spoil would not affect their riparian rights.

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BRADFORD COUNTY - Commissioner Doyle Conner requested ratification for the record by the Trustees of Internal Improvement Fund of the following four conveyances of Bradford County land, without any monetary consideration, involving conveyance of property from the Farmers Market located at Starke to the Bradford County Fair Association, also the transfer of certain excessive Department of Public Safety property which was originally given to that department by the State Department of Agriculture: (1) Quitclaim Deed of Parcel 1 from State Department of Agriculture to the State of Florida for use and benefit of Department of Public Safety, (2) Quitclaim Deed of Parcel 2 from Department of Public Safety to State of Florida for use and benefit of State Department of Agriculture, (3) Easement across Parcel 3 from the Department of Public Safety to State of Florida for use and benefit of State Department of Agriculture, and (4) Quitclaim Deed of Parcel 4 from State Department of Agriculture to Bradford County Fair Association.

Upon motion by Mr. Larson duly adopted, the Trustees approved execution of the four instruments and validation for the record.

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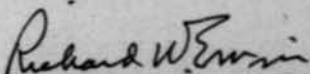
TRUSTEES OFFICE BUILDING - Upon motion by Mr. Green duly adopted, the Trustees authorized payment of \$535.21 to Mechanical Contractor Virgil Reddick of Tallahassee for supplemental work to get hose connections over the grounds of the Elliot Building,


and \$60.00 for purchase of one metal duplicator cabinet.

SUBJECTS UNDER CHAPTER 18296

Upon motion by Mr. Larson duly adopted, the Trustees approved Report No. 810 listing one regular bid for sale of Murphy Act land, and authorized execution of deed pertaining thereto.

Upon motion duly adopted, the Trustees adjourned.

  
ATTORNEY-GENERAL - ACTING CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
April 10, 1962

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Ray E. Green	Comptroller
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture
	Van H. Ferguson	Director-Secretary

Upon motion duly adopted, the Trustees approved the minutes of the meetings on March 27 and April 3, 1962.

LAND SALES

BREVARD COUNTY - File No. 832-05-253.12. Presented for further consideration was application of Vacation Land, Inc., abutting upland owner, represented by H. C. Kirk, for purchase at the appraised price of \$700.00 per acre of a parcel of submerged land in the Indian River in Section 26, Township 22 South, Range 35 East containing 6.8 acres more or less, landward of the established bulkhead line. On the advertised sale date, May 23, 1961, the Trustees deferred action for working out the county request for road right of way. Brevard County and the State Road Department confirmed by letters that Mr. Kirk had adjusted the 7.7-acre area originally applied for, and the right of way needed for improvement of State Road 5 (U. S. 1) had been obtained. Confirmation of the sale was recommended.

Upon motion by Comptroller Green duly adopted, the Trustees confirmed sale of 6.8 acres of submerged land to the upland owner at the appraised price.

MONROE COUNTY - File No. 1094-44-253.12. On February 20 the Trustees considered application by Floyd C. Russell, abutting upland owner, with offer of the established price of \$425.00 per acre for purchase of a parcel of submerged land in the Straits of Florida in Section 27, Township 63 South, Range 37 East, Upper

4-10-62

Matecumbe Key, containing 0.69 of an acre, more or less. The land was advertised for objections only in the Coral Tribune, Key West, Florida, proof of publication filed with the Trustees, and no protest to the sale was received.

Upon motion by Comptroller Green, duly adopted, the Trustees confirmed sale of the advertised parcel to Mr. Russell at the price offered.

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MONROE COUNTY - File No. 1096-44-253.12. On February 20 the Trustees considered application by Emette Hart, abutting upland owner, with offer of the established price of \$300.00 per acre for purchase of a parcel of submerged land in the Bay of Florida in Sections 7 and 18, Township 63 South, Range 38 East, 0.35 acre, more or less, at Plantation Key. The sale was advertised for objections only in the Coral Tribune, Key West, Florida, proof of publication filed with the Trustees, and no protest received.

Upon motion by Comptroller Green duly adopted, the Trustees confirmed sale to the upland owner at the price offered.

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PALM BEACH COUNTY - File No. 1055-50-253.12. On February 20 the Trustees considered application by The Darby Corporation, abutting upland owner, with offer of the appraised value of \$10,003.50 for the parcel, for 3.55 acres, more or less, of submerged land in Lake Worth in Section 26, Township 44 South, Range 43 East in the Town of Palm Beach within the established bulkhead line. The sale was advertised for objections only in the Palm Beach Post, proof of publication filed with the Trustees, and no protest received. Central and Southern Florida Flood Control District waived objections.

Upon motion by Mr. Green duly adopted, the Trustees confirmed sale of the advertised parcel to the applicant corporation at the appraised price.

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PINELLAS COUNTY - File No. 739-52-253.12. Presented for further consideration was application of Nora Mae Peabody et al, riparian upland owners, for purchase of a tract of Clearwater Harbor submerged land between the established bulkhead line and the 2.03 acre submerged parcel conveyed to applicants November 20, 1961 by Trustees Deed No. 22931, all riparian to Sand Key upland of applicants. The proposed purchase and island-type fill extended about 1500 feet into the Harbor, approximately 1300 feet beyond the road right of way just east of Sand Key. Sale was recommended by Pinellas County Water and Navigation Control Authority in October 1960, county dredge-and-fill permit DF115 was granted November 14, 1960 according to a plan which left a water opening 96 feet wide in the zone between the road and the island fill planned for over 1000 feet long. On March 27 when applicants' attorney suggested reduction in the bridge opening, the Trustees took no action on the application.

While the Trustees had received no protests to the sale, Attorney General Ervin expressed concern at construction of another finger fill into the public waters of Pinellas County in view of past criticism. He questioned the apparent sponsorship by the City of Clearwater of a private development, pointed out that when the Trustees granted submerged land for road rights of way they tried to maintain water areas open for public uses and scenic values and in this case the city had required donation of rights of way from private owners with no additional public beaches on Sand Key indicated.

H. H. Baskin, Jr., attorney for the applicants, presented an aerial map showing the general development plan for the area and copy of Resolution No. 62-43 adopted by the city on April 9 requesting confirmation of sale and approval of the county fill permits. He reviewed the application in relation to the bulkhead lines establishment, sales previously made to Charles



B. Thatcher and Ed C. Wright, the over-all development plan for the Sand Key zone, and the Little Pass Bridge project.

Mayor Robert W. Weatherly, City Manager James R. Stewart and City Attorney Herbert M. Brown presented the position of the City of Clearwater, explaining that only with the assistance and commitments by the private developers, had the road and bridge project been possible for the city, that there were no local objections and the over-all development plans upon which the bond program for financing the bridge project depended were approved by the Pinellas County Water and Navigation Control Authority. It was stated that the city had adequate public beach areas and the development would provide revenue from tolls and taxes from the area to be annexed to Clearwater.

In view of the presentation that the application was in the public interest of the City of Clearwater and part of an over-all plan approved by the County Authority, and in view of the absence of local objections, the Trustees, upon motion by Comptroller Green duly adopted, confirmed sale of the 12.95 acres of submerged land to the applicants at the appraised price of \$1000.00 per acre and formally approved fill permit in accordance with the plan approved by the county.

#### APPLICATIONS FOR LAND

DADE COUNTY - File No. 1106-13-253.12. Robert C. Birmelin on behalf of Dr. Sanel Beer, the abutting upland owner, offered the appraised price of \$1875.00 per acre for a parcel of submerged land in Biscayne Bay in Section 18, Township 53 South, Range 42 East, City of Miami, 0.38 of an acre within the established bulkhead line.

Upon motion by Mr. Green duly adopted, the Trustees authorized the parcel advertised for objections only.

MONROE COUNTY - File No. 1108-44-253.12. Sidarlen Development Corporation, abutting upland owner represented by Hall, Hartwell, Peeples and Hall, offered the established price of \$250.00 per acre for two contiguous tracts of submerged land in Long Key Bight in Sections 3 and 4, Township 65 South, Range 35 East, Long Key, containing 56.35 acres.

Upon motion duly adopted, the Trustees authorized the land advertised for objections only.

PALM BEACH COUNTY - File No. 1089-50-253.12. Anton Micksch and wife, abutting upland owners represented by Brockway, Weber and Brockway, offered the appraised price of \$3007.50 for 1.56 acres of submerged land in Lake Worth in Section 28, Township 42 South, Range 43 East, City of Riviera Beach, within the established bulkhead line.

Upon motion duly adopted, the Trustees authorized the land advertised for objections only.

PALM BEACH COUNTY - File No. 1099-50-253.12. Mrs. R. C. Jensen, abutting upland owner represented by John Adair, Jr., offered the appraised price of \$1925.00 per acre for a parcel of submerged land in Lake Worth in Section 34, Township 44 South, Range 43 East, City of Lantana, 0.36 of an acre within the established bulkhead line.

Upon motion duly adopted, the Trustees authorized the parcel advertised for objections only.

PALM BEACH COUNTY - File No. 1100-50-253.12. Fred Kramer and wife, abutting upland owners represented by John Adair, Jr., offered the appraised price of \$1925.00 per acre for a parcel of submerged

land in Lake Worth in Section 34, Township 44 South, Range 43 East, City of Lantana, landward of the established bulkhead line , containing 0.38 of an acre.

Upon motion duly adopted, the Trustees authorized the parcel advertised for objections only.

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PALM BEACH COUNTY - Palm Beach County Resolution adopted April 24, 1961 requested conveyance of the West 400 feet of E $\frac{1}{2}$  of NW $\frac{1}{4}$  of NW $\frac{1}{4}$ , and NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of NW $\frac{1}{4}$  (less right of way of State Road 15), and the West 400 feet of NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 20, Township 43 South, Range 37 East, the 28 acres being desired for unspecified public purposes. The lands were adjacent to sites of county buildings, Everglades Fire Control District and Agricultural Department Inspection Division and the resolution requested the land "in order that other State and County agencies may have the same available for present and future uses."

The Division of Corrections asked that the grant be denied, since the tract would extend to within 125 feet of the Prison Farm No. 1 Cattle Pens and the pumps serving Section 20-43-37 and included part of an area where herds were held in connection with pens, chutes and scales. These facilities would have to be relocated, and extension of open public areas into the farm near equipment operated by inmates would aggravate security problems. The Trustees' Staff concurred with the request for denial.

Commissioner Conner stated that it appeared from examination of the map that there was room for future expansion of the inspection facilities on county-owned property.

Upon motion by Comptroller Green duly adopted, the Trustees, in consideration of the objections presented, declined to grant the lands to Palm Beach County.

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PALM BEACH COUNTY - Palm Beach County through its attorney submitted a map showing a proposed "Sugar House Road" right of way, being the northerly 100 feet of Section 29, Township 43 South, Range 37 East. The Glades Prison Farm occupied and used Sections 19, 20, 21 and 29 owned by the Trustees, and the Division of Corrections reported that granting the right of way would greatly impair the usefulness of the farm. The opening of additional rights of way would necessitate changes in farm operation, security measures and drainage, and while the county indicated willingness to relocate the pumps, the Farm Superintendent expressed concern over the possibility of such a public road being opened through the Farm and reported that he suggested other routes which did not appear to have been considered. A map was examined which showed the farm in relation to the highway, railroads, airport and County Sub-Station (branch Court House).

Upon motion by Comptroller Green duly adopted, the Trustees denied the county's request for right of way for proposed road in consideration of the possibility of creating new farm operation problems and dangers from the security standpoint at Glades Prison Farm.

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SARASOTA COUNTY - County of Sarasota by Resolution adopted March 6, 1962 requested grant of a 0.36 acre parcel of Little Sarasota Bay submerged land in Section 15, Township 38 South, Range 18 East, in exchange for a triangular 0.05 acre parcel on the west end of a parcel conveyed to the county for public purposes only by Deed No. 20450 on July 19, 1953 (1.77 acres bounded east by right of way of Intracoastal Waterway and south by Blackburn Bridge). Under Deed No. 20356 issued April 16, 1953 for public purposes, the county also held 2.26 acres north of and adjacent to the last mentioned parcel, but the 0.36 acre parcel was needed to reach the waterway right of way.

The 0.05 acre triangle represented an overlap of the county's 1.77 acre parcel and a parcel of 1.4 acres immediately to the west

conveyed to Harry C. Merikel and wife January 5, 1954 subject to reversion if ever filled by other than natural cause. The County appeared entitled to retain the small triangle since its deed antedated the Merikel sale, but if surrendered the staff felt it should be transferred by deed to the present record owners of the Merikel parcel subject to the provision for reversion if ever filled.

Upon motion duly adopted, the Trustees authorized dedication of the 0.36 acre parcel to Sarasota County for public purposes, under supervision and management of the Board of County Commissioners.

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#### MISCELLANEOUS

BROWARD COUNTY - File No. 1113-06-253.129. Fleming, O'Bryan and Fleming on behalf of Bertha R. Metcalf, a widow, applied for disclaimer under Section 253.129 Florida Statutes to an area in Section 1, Township 50 South, Range 42 East, Broward County, 0.4 acre, more or less, filled prior to May 29, 1951.

Upon motion by Mr. Green duly adopted, the Trustees authorized disclaimer for \$10.00 charge.

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DUVAL COUNTY - The Jacksonville Area Chamber of Commerce, for the Corps of Engineers, U. S. Army, on behalf of the United States of America, made application for two perpetual spoil disposal easements in the St. Johns River, Tract 104E containing 36.8 acres, more or less, in Township 1 South, Range 27 East, and Tract A-115E containing 520 acres, more or less, in Township 1 South, Range 28 East. The second tract abutted and included a part of Quarantine Island which was formerly spoil area.

Upon motion duly adopted, the Trustees granted easement as requested.

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ESCAMBIA COUNTY - Pensacola Fishing Reef Association applied for State Permit to construct artificial reef in the Gulf of Mexico three nautical miles offshore from Coast Guard Tower No. 212 on Santa Rosa Sound in a zone approximately 63 feet deep. State Board of Conservation inspected the area and recommended permit.

Upon motion duly adopted, the Trustees authorized issuance of the artificial reef permit for \$50.00 processing fee.

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INDIAN RIVER COUNTY - The Florida Inland Navigation District requested perpetual right of way easements covering two parcels of submerged land with combined area of 17.69 acres, more or less, in the Indian River in Sections 2 and 12, Township 32 South, Range 39 East, Indian River County.

Without objection, the Trustees granted easements as requested.

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MANATEE COUNTY - Upon motion by Mr. Green duly adopted, the Trustees formally approved dredge and fill permit granted by the Town of Longboat Key to Caesar Gonzmart and David M. Schwartz February 9, 1960 which the town reinstated March 14, 1962 for Longboat Enterprises, Inc., successors to original permittee, the corporation having acquired title to the area to be filled by Trustees' Deed No. 22880 on September 13, 1961.

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MARTIN COUNTY - Harry F. Dyer on behalf of Herbert A. Hiers et al, riparian upland owners and owners of an offshore island and the intervening submerged lands in the Indian River at Sewalls Point, requested removal or modification of restrictive clause in the Trustees deeds by which the island was conveyed (Nos. 20204, 20205, 20206). The island conveyances made to the upland owners in 1952 did not include the intervening submerged lands and the deeds provided that no part of the island should be conveyed without sale



including the upland owned by Trustees' deed grantees. Subsequently the three riparian owners acquired the submerged lands between their uplands and the islands (Trustees Deed Nos. 21443, 21444 and 21445), but these conveyances made in 1956 did not include the clause which restricted sale of the island.

Applicants proposed to sell island and submerged land together with the portion of their upland to which the submerged land and island were riparian. The 1952 sale file showed objection of the county to sale of the island was withdrawn with request that the deeds contain clause requiring resale to include all or part of the upland then owned by the applicants, but the clause as imposed was read as a requirement that such resale include all upland owned by the applicants at the time of the island purchase.

It was recommended that the clause be amended by a recordable instrument, approved by the Attorney General, whereunder resale of the island and submerged lands covered by the above numbered six deeds was subject to requirement that such resale include the portion of the waterfront upland riparian or adjacent but not to include all upland owned by the applicants on the date the islands were sold, and that the restrictive provision automatically terminate when the riparian upland owners filled and developed the submerged land and island and dedicated to the use of the public all areas then remaining unfilled.

Motion was made by Mr. Green and adopted that the recommendation be approved subject to review by the Attorney General.

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MONROE COUNTY - On July 20, 1956 the Trustees conveyed to James L. Ribble 5.56 acres of Bay of Florida submerged lands riparian to his upland, and it was not learned until later that the U. S. Bureau of Land Management in April 1956 surveyed a 0.06 acre parcel within the 5.56 acres, classified it as U. S. land and issued patent June 28, 1956. The effect was failure of the Ribble title to the 0.06 acre parcel; however, litigation ensued and judgment was entered pursuant to which the two owners (Ribble and Googolplex Corporation) entered into formal agreement which was submitted for approval by the Trustees, since Mr. Ribble did not wish to secure permit for the work from the U. S. Army Corps of Engineers without Trustees approval.

Upon motion duly adopted the Board granted approval insofar as the Trustees might be affected.

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VOLUSIA COUNTY - City of New Smyrna Beach made application for State Permit for construction of an industrial type dock to receive oil for the city's new electric generating plant. The city was preparing to zone the area industrial and adjacent owners filed consent.

Upon motion by Mr. Green duly adopted, the Trustees authorized issuance of State Permit to the applicant for the standard processing fee of \$100.00.

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#### SUBJECTS UNDER CHAPTER 18296

COLUMBIA COUNTY - Lake City Laundry Company, a Florida Corporation, offered \$50.00 for conveyance under Chapter 28317 of 1943, commonly called the Hardship Act, of a parcel of land described as Lot 13, Block B, Northwestern Division of the City of Lake City covered by tax sale certificate 768 of September 1, 1930. Applicant was owner on June 9, 1939, the application complied with requirements of the Act, and price offered was the regular base bid amount under Murphy Act procedures.

Upon motion by Mr. Green adopted without objection, the Trustees authorized conveyance under Chapter 28317 to the applicant for \$50.00.

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Upon motion duly adopted, the Trustees adjourned.

4-10-62

*Richard W. Ervin*  
ATTORNEY GENERAL - ACTING CHAIRMAN

ATTEST: *Van H. Ferguson*  
DIRECTOR - SECRETARY

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Tallahassee, Florida  
April 17, 1962

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture
	_____	
	Van H. Ferguson	Director-Secretary
	_____	

Upon motion duly adopted, the Trustees approved the minutes of the meeting on April 10, 1962.

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MONROE COUNTY - File No. 1115-44-253.12. Pete Signorelli, the abutting upland owner represented by G. A. Crawshaw, offered the established price of \$300.00 per acre, or \$100.00 minimum in this instance, for purchase of a parcel of submerged land in Largo Sound in Section 14, Township 61 South, Range 39 East, Key Largo, 0.27 acre.

Upon motion duly adopted, the Trustees authorized the parcel advertised for objections only.

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SARASOTA COUNTY - Bulkhead Line; Permit. Presented for approval was the bulkhead line established by Resolution dated April 3, 1962 by the Board of Commissioners of Sarasota County sitting as Sarasota County Water and Navigation Control Authority, being modification of line previously established in the waters of Roberts Bay. Also, approval was recommended for dredge and fill permit granted by the County Authority on April 3, 1962 for a parcel of sovereignty land conveyed by Trustees Deed No. 17148 to A. B. Edwards in 1924. Application to the county for bulkhead line and fill permit was made by Mr. Edwards, represented by West Coast Inland Navigation District, to accommodate disposition of spoil material from intracoastal waterway construction.

Without objection, the Trustees formally approved the modified bulkhead line established by Sarasota County Authority on April 3, 1962 and approved dredge and fill permit as granted to Mr. Edwards by the county.

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BRADFORD AND HIGHLANDS COUNTIES - Upon motion duly adopted, the Trustees authorized issuance of permits applied for by the following upland owners to remove from lake bottoms riparian to their properties fill material to repair shore erosion or otherwise improve the uplands, subject to compliance with permit regulations and recommendations of the Game and Fresh Water Fish Commission:

4-17-62

- (1) Hampton Lake in Bradford County. Applicant, Foster Shi Smith, made application for 5000 cubic yards for \$250.00 charge, based on standard yardage rates.
- (2) Lake Lotela in Highlands County. Applicant, E. G. Todd, made application for 200 cubic yards for \$25.00 minimum charge.

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BREVARD COUNTY - On behalf of the United States of America, the U.S. District Engineer made application for perpetual easement 800 feet wide across Banana River, being 400 feet each side of centerline from a point in Section 23, Township 22 South, Range 37 East to a point in Section 12, Township 22 South, Range 37 East, and also, five-year easement for construction purposes covering a strip one-half mile wide each side of said 800 foot easement. Information was that uplands at each end of proposed causeway were owned by the United States and request was made in connection with the Manned Lunar Program.

Upon motion duly adopted, the Trustees granted the perpetual easement and the five-year easement as requested.

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BROWARD COUNTY - Harbor Drive Corporation applied for State Permit for a proposed marina at Lot 2 in Block 1, Lighthouse Point Second Addition, fronting the Intracoastal Waterway in Lake Placid.

Without objection, the Trustees authorized issuance of State Permit for \$100.00 processing fee.

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BROWARD COUNTY - On April 3 the Trustees withheld approval for Sun Castle, Inc., to proceed at the owner's risk with emergency erosion control structures. On this date the Director recommended authorization of State Permit to the applicant for installation of two groins in accordance with telegraphed recommendations of the Coastal Engineering Laboratory.

Without objection, the Trustees authorized issuance of State Permit for \$100.00 processing fee, with requirement of \$600.00 surety bond.

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MONROE COUNTY - The District Engineer, Jacksonville District, on behalf of the United States of America, made application for perpetual spoil disposal easement covering five separate areas along the Key West Harbor Channel and Turning Basin.

Upon motion duly adopted, the Trustees granted perpetual easement as requested.

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PALM BEACH COUNTY - Florida Inland Navigation District, on behalf of the United States of America, made application for a right of way easement over the open waters of Lake Rogers in Section 9, Township 47 South, Range 43 East, Palm Beach County, for widening and deepening of the Intracoastal Waterway.

Upon motion duly adopted, the Trustees granted perpetual easement as requested.

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TRUSTEES' FUNDS - With reference to the Capitol remodeling project discussed on September 5, 1961 and authorized November 7, 1961, Attorney General Ervin reported that work in the offices of the Governor, Secretary of State, and Attorney General over-ran the stipulated amount due to change orders and additional work found to be necessary by conditions encountered, and he requested approval for payment of an additional \$1,302.32 to cover the work. Also, he recommended that an additional \$3,763.00 be made available for paneling the office of the Superintendent of Public Instruction, which could be included and completed under the current contract.

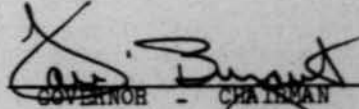


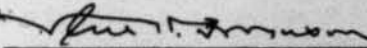
Upon motion by Comptroller Green adopted without objection, the Trustees approved payment of the total additional amount requested, \$5,369.24, from Trustees' funds.

SUBJECTS UNDER CHAPTER 18296

Upon motion duly adopted, the Trustees approved Report No. 811 listing 129 regular bids for sale of land under Chapter 18296, and authorized execution of deeds pertaining thereto.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
April 24, 1962

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	Doyle Conner	Commissioner of Agriculture
	Van H. Ferguson	Director-Secretary

LAND SALES

DADE COUNTY - File No. 1034-13-253.12. Presented on this date for further hearing was application by Gerson Blatt and Alfred Lewis as Trustees, record owners of adjacent upland, who had offered \$250.00 per acre for purchase of a tract of Biscayne Bay tidal and submerged land appraised at \$2886.00 per acre, in Section 6, Township 55 South, Range 42 East, lying westerly and northwesterly of Mashta Island within the established bulkhead line. Attention was called to the corrected area of 42.2 acres, also the fact that the bulkhead line was approved by the Trustees May 31, 1960 "with the understanding that by this action no commitment was made as to any question of title or right to fill or develop". County Resolution No. 5571 adopted August 2, 1960 authorized dredging and filling but permit was not recommended for approval under Section 253.124 Florida Statutes since applicants were unable to prove ownership of the 42.2 acres. On January 16, 1962 the application to purchase was referred to a committee for consideration of price adjustment and \$1000 per acre was suggested at the meeting on February 27, at which time the parcel was ordered advertised for objections without decision as to price. Sale notice was published in the Miami Daily News and proof of publication was filed with the Trustees.

4-24-62

The minutes of January 26, 1960 (bulkhead line hearing ) showed that the Board of Conservation reported the area very favorable to sport fishing and breeding grounds. Inasmuch as the county had granted permit to fill, a fill-development plan was requested but the plan filed on November 13, 1961 did not include any relief channel for storm tides as recommended by the Coastal Engineering Laboratory. Staff did not recommend any sale or fill permit without firm commitment for inclusion of the storm tide relief channel and pointed out that the 525,000 cubic yards which applicants proposed to dredge would cost, at standard yardage rates for filling private uplands, only slightly less than the total price offered by the applicants. The Director reviewed the written objections on file and presented telegraphic endorsement of applicants' plans, sent from Baltimore on behalf of Mr. and Mrs. William I. Norris, Jr., owners of westernmost lot on Mashta Island at entrance to Hurricane Harbor.

Protests that sale and filling were not in the best interest of the state or of area residents were made by Fawley A. S. Molt, John A. Moir, Jr., Mrs. William LaBrot, A. Edward Campbell, Herbert A. Kuvin, Edwin H. Underwood, Helen D. Carter, Grover Loening and others. Representing Hurricane Harbor and Key Biscayne Improvement Associations, Ray Marchman summarized the grounds for protest and claimed that Miami newspapers supported the position of objectors.

Jesse H. Yarborough and Gerson Blatt, speaking in favor of the application, cited the applicants' title claim to the land, the numerous hearings at county level and before the Trustees, denied the objectors' claims of damage, and agreed to pay the \$1000 per acre suggested price. As to the relief channel, Mr. Yarborough urged that it be left up to the local authorities.

In view of discrepancies in the testimony and the absence of the Attorney General and the State Treasurer, Commissioner Conner made a motion that the matter be postponed for further study.

Without objection, the Trustees deferred decision with no further hearing indicated; however the Board agreed to notify objectors' representative if applicant was allowed further hearing.

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MONROE COUNTY - File No. 589-44-253.12. On February 20, 1962, the Trustees considered offer of \$100.00 per acre from E. C. Lunsford, owner of adjacent U. S. lots, for purchase of the submerged and tidal lands in the Bay of Florida situate easterly and adjacent to Govt. Lot 1 of Section 25, Township 63 South, Range 36 East, and easterly of and adjacent to Govt. Lot 1 of Section 36, Township 63 South, Range 36 East, the said lands being otherwise described as Govt. Lot 1 of Section 30, Township 63 South, Range 37 East and Govt. lot 1 of Section 31, Township 63 South, Range 37 East, according to the U. S. Govt. Survey, containing 73.66 acres, more or less, determined to be submerged and tidal lands in character. The land was advertised for objections only in the Key West Citizen, proof of publication filed, and no protest received.

Trustees' Engineer Kidd inspected the area which was reported to be a mile from any upland with no access, and no increase in price from the 1956 appraisal was recommended.

Upon motion duly adopted, the Trustees confirmed sale of the advertised land to Mr. Lunsford at the price offered.

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MONROE COUNTY - File No. 1077-44-253.12. On March 13 the Trustees considered offer of the established price of \$300.00 per acre from Delbert L. Layton, abutting upland owner, for a tract of submerged land in Florida Bay fronting Govt. Lot 2 in Section 33, Township 64 South, Range 35 East, containing 11.0 acres, more or less, at Long Key. No objections were received to the sale which was advertised in the Coral Tribune, Key West, Florida, with proof of publication filed in the Trustees' office.

Upon motion duly adopted, the Trustees confirmed sale of the advertised land to Mr. Layton at the price offered.

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MONROE COUNTY - File No. 1080-44-253.12. On March 13 the Trustees considered offer of the appraised price, \$375.00 per acre, from Middle Torch Key Estates, Inc., abutting upland owner, for a parcel of submerged land in Pine Channel in Section 18, Township 66 South, Range 29 East, 4.0 acres, more or less, at Middle Torch Key. No objections were received to the sale which was advertised in the Key West Citizen with proof of publication filed in the Trustees' office.

Upon motion duly adopted, the Trustees confirmed sale to the applicant at the appraised price.

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MONROE COUNTY - File No. 1098-44-253.12. On March 13 the Trustees considered offer of the established price of \$300.00 per acre from Richard M. Snyder and wife, abutting upland owners, for purchase of a parcel of submerged land in the Straits of Florida in Section 8, Township 62 South, Range 38 East, Plantation Key, containing 0.71 acre, more or less. No objections were received to the sale which was advertised in the Key West Citizen with proof of publication filed with the Trustees.

Upon motion duly adopted, the Trustees confirmed sale to the applicant at the price offered.

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PALM BEACH COUNTY - File No. 1095-50-253.12. On March 13 the Trustees considered application by Frank Meade, Sr., abutting upland owner, for purchase of a parcel of submerged land in Lake Worth in Section 10, Township 45 South, Range 43 East, Town of Hypoluxo, containing 2.37 acres, more or less, within the established bulkhead line. Applicant offered \$1285.00 per acre, the area appraised value. No objections were received to the sale which was advertised in the Palm Beach Post, with proof of publication filed with the Trustees.

Upon motion duly adopted, the Trustees confirmed sale to the applicant at the price offered.

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VOLUSIA COUNTY - File No. 1097-64-253.12. On March 13 the Trustees considered application by Bellemead Development Corporation, abutting upland owner, with offer of the area appraised value of \$200.00 per acre for purchase of a parcel of submerged land in the Halifax River in Section 11, Township 16 South, Range 33 East, containing 1.0 acre, more or less, within the established bulkhead line. The parcel was advertised for objections only in the Daytona Beach News Journal and proof of publication was filed with the Trustees.

Protest filed by Ira J. Foster was subsequently withdrawn when he determined that sale of the parcel applied for would not damage his riparian rights.

Upon motion duly adopted, the Trustees confirmed sale to Bellemead Development Corporation at the price offered.

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#### APPLICATIONS FOR LAND

PALM BEACH COUNTY - File No. 1101-50-253.12. Walter Poranski, abutting upland owner represented by Gee and Jensen, offered the appraised value of \$2000.00 per acre for a parcel of submerged land in Lake Worth in Section 26, Township 44 South, Range 43 East, 9.63 acres in the Town of Palm Beach within the established bulkhead line.

Upon motion duly adopted, the Trustees authorized advertisement for objections only.



VOLUSIA COUNTY - File No. 1116-64-253.12. Paleface, Inc., abutting upland owner represented by Kinsey, Vincent and Pyle, offered the area appraised value of \$800.00 per acre for a 0.34-acre parcel of submerged land in the Halifax River abutting applicant's upland in Section 37, Township 15 South, Range 33 East, City of Daytona Beach, within the established bulkhead line.

Upon motion duly adopted, the Trustees authorized advertisement of the parcel for objections only.

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PALM BEACH COUNTY - File No. 1118-50-253.0013(2). Brockway, Weber and Brockway on behalf of Joe Cohen requested conveyance under provisions of Section 253.0013(2) of an area in Section 21, Township 42 South, Range 43 East, Town of Lake Park, containing 3.61 acres lying between the high water mark of the upland and the bulkhead line established in 1925, filled under War Department Permit No. 800.61 (57-67) granted May 28, 1957.

Motion was made by Comptroller Green, seconded and adopted, that the parcel be conveyed under provisions of said Section for handling charge of \$10.00.

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DADE COUNTY - File No. 1119-13-253.129. Upon motion duly adopted, the Trustees authorized issuance of disclaimer for handling charge of \$10.00 to Charles Deering McCormick, represented by Biscayne Engineering Company, for an area in Section 21, Township 54 South, Range 41 East, in Biscayne Bay filled prior to the enactment of the Bulkhead Act.

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DADE COUNTY - File No. 1120-13-253.12. Charles Deering McCormick, represented by Biscayne Engineering Company, applied to purchase a parcel of submerged land in Section 21, Township 54 South, Range 41 East, being a small harbor or boat basin lying within that area for which disclaimer was requested under File No. 1119-13-253.129 (above item). Since the applicant stated he did not contemplate filling in the foreseeable future, the Staff recommended that the application be denied and the area left as public waters.

Motion was made by Comptroller Green and adopted that the application be denied.

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#### BULKHEAD LINES

LEE COUNTY - Referred to the Trustees for approval was the bulkhead line established by Resolution passed October 4, 1961 by the Board of County Commissioners of Lee County upon application by Julius Wetstone, Trustee, owner of property on Pine Island. The line was located around part of Little Pine Island in Sections 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 34, 35 and 36 in Township 44 South, Range 22 East, and Section 2 in Township 45 South, Range 22 East, Lee County, and appeared to be conservative and marginal to the island.

Upon motion duly adopted, the Trustees formally approved the bulkhead line as established by Lee County October 4, 1961 for part of Little Pine Island.

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PALM BEACH COUNTY - Referred to the Trustees was the bulkhead line established by the City of Riviera Beach by Ordinance No. 448 adopted March 19, 1958. The Staff recommended approval of that portion of the line on the east shore of Lake Worth beginning at the south corporate limit line of the City of Riviera Beach and running northerly to the northwest corner of Lot 248, Plat No. 3 Palm Beach Isles as recorded in Plat Book 27, Page 8, Public Records of Palm Beach County, following the existing land.

The Staff recommended rejection of the remainder of the line north of the last mentioned area. The Trustees examined the map and commented that the extension recommended for rejection was excessive, did not coordinate with bulkhead lines above and below the zone, did

not appear in the best interests of small individual ownerships. The Director called attention to telegrams received which protested any cut-back of the line fixed by the city.

Upon motion by Mr. Green, seconded and adopted, the Trustees formally approved only that portion of the bulkhead line established by the City of Riviera Beach on March 19, 1958 which was described as being on the east shore of Lake Worth beginning at the south corporate limit line of the city and running northerly to the northwest corner of Lot 248, Plat No. 3 Palm Beach Isles, Plat Book 27, Page 8, following the existing land. The Board directed that the rejected portion of the bulkhead line be referred back to the City of Riviera Beach with recommendation that consideration be given to conforming the bulkhead line to the offshore limits of those submerged lands conveyed by Trustees Deed No. 17146 dated April 22, 1924.

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VOLUSIA COUNTY - Referred to the Board was bulkhead line established by the City of New Smyrna Beach along the easterly bank of the Indian River North from Bouchelle Island south to the corporate limits of the said city as adopted by Ordinance No. 648 on February 26, 1962. Upon examining the maps and noting the large area involved, the Trustees requested further investigation, including a study and report by the State Board of Conservation.

Upon motion duly adopted, the Trustees deferred action pending further study and report.

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MISCELLANEOUS

DADE COUNTY - File No. 367-13-253.124. Without objection, the Trustees formally approved the fill permit issued by the City of Miami (#5475) to fill that submerged area conveyed to Smith Haselwood under Trustees File No. 367-13-253.12, being in Biscayne Bay, westerly shore, at applicant's property described as Lots 1 through 4 of Block 2, Shore Acres Plaza Subdivision.

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GLADES COUNTY - James C. Fountain, on behalf of Glades Electric Cooperative, applied for power line easement over certain reclaimed lake bottom lands in Lake Okeechobee in Sections 15, 16, 17, 18, 22 and 23 in Township 42 South, Range 33 East, said easement to be a 25-foot strip abutting and parallel to the easement recently granted to the Central and Southern Florida Flood Control District for enlargement of Hoover Dike.

Without objection, the Trustees authorized granting the easement requested without charge.

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PINELLAS COUNTY - Upon motion duly adopted, the Trustees authorized issuance of State Permit to L. M. Simpson for construction of commercial pier in the Gulf of Mexico at applicant's upland lots in Indian Rocks Beach for \$100.00 processing fee, permit for which had been issued by Pinellas County Water and Navigation Control Authority.

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PINELLAS COUNTY - Upon motion duly adopted, the Trustees authorized issuance of State Permit to Charles L. Rettberg for construction of commercial dock at applicant's property near Blind Pass for \$100.00 processing fee, permit for which had been issued by Pinellas County Water and Navigation Control Authority.

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TRUSTEES PERSONNEL - Pending Legislative merger of the State Land and Field Note Divisions with the Trustees, the Director suggested that the salaries of four employees should be borne equally by the Trustees and the Department of Agriculture. The two divisions were housed in the Elliot Building and the work

of each was handled under the Trustees' Director. Under the Trustees' budget, increases of 5% of the 1960 salaries could be granted to the Trustees' Staff; however, three of the said four employees were drawing the maximum under the Department of Agriculture classification and in event the Trustees assumed one-half of their salaries the 5% raises could be authorized as to the portion borne by the Trustees and some measure of equity in treatment maintained. Subject to approval of the State Budget Commission, the Director recommended additions to the Trustees' payroll effective July 1, 1962 of the following employees: H. Parks, P. Baldwin, M. T. Peabody, F. R. Williams.

Upon motion by Comptroller Green, seconded by Commissioner Conner and adopted, the Trustees approved the recommended additions to the Trustees' payroll effective July 1, 1962.

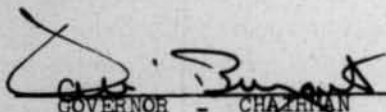
#### SUBJECTS UNDER CHAPTER 18296

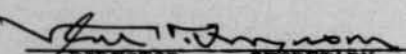
Upon motion duly adopted, the Trustees approved Report No. 812 listing one bid for sale of Murphy Act land and the following two deeds approved by the Attorney General's office; County of Alachua Deed No. 152-Corrective to D. T. Ramey to correct name of grantee in original deed dated December 7, 1940, and County of Hillsborough Deed No. 579-Duplicate to Josie Wichert, widow and sole devisee of H. A. Wichert, deceased, issued in lieu of deed to H. A. Wichert dated December 9, 1940, reported lost without having been recorded.

ALACHUA COUNTY - Bernice Hughes, Lillian H. Bell and Melviese H. Davis offered \$100.00 for conveyance under the "Hardship Act" of a parcel of land certified to the state under tax sale certificates No. 45 of August 6, 1928 and No. 45 of August 3, 1931 described as SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 33, Township 7 South, Range 17 East, 10 acres. Applicants were heirs of former owner as of June 9, 1939, the price offered would be the regular base bid amount under Murphy Act procedure, and the application complied with the requirements of Chapter 28317.

Upon motion by Mr. Green duly adopted, the Trustees authorized conveyance under Chapter 28317 to the applicants for the price offered.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
May 8, 1962

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture
	Van H. Ferguson	Director-Secretary

Upon motion duly adopted, the Trustees approved the minutes of the meeting on April 24, 1962.

#### LAND SALES

OKEECHOBEE COUNTY - Competitive bids. On March 20, 1962 John Lee Rhymes offered the appraised value of \$200.00 per lot for Lots 23, 25 and 26 in Block 55 Okeechobee Gardens Subdivision, Plat Book 7, Page 30. The land was advertised for competitive bids in the Okeechobee County News, notice of sale reciting "Subject to any outstanding municipal and/or drainage taxes". Purchaser was required to pay advertising cost in the sum of \$18.40 and affix necessary documentary tax stamps to the deed.

Description of the land was called out and the Director reported one mailed bid of \$312.00 received from Paul L. Vogelsang "for the first lot available at this bid". Competitive bidding resulted in a high bid of \$317.00 from Mr. Rhymes for Lot 26 and \$200.00 each for Lots 23 and 25, or a total of \$717.00 bid for the three lots.

Motion was made and adopted that the Trustees accept the high bid of \$717.00 and confirm sale of the three lots in favor of Mr. Rhymes.

DUVAL COUNTY - File No. 907-16-253.12. On February 20, 1962 the Trustees considered application by Alexander Brest and George H. Hodges, riparian upland owners, for purchase of a parcel of submerged land lying southerly of and abutting a part of the Wilson and Fenwick Subdivision of Section 47, Township 1 South, Range 26 East, and Sections 44, 45 and 49 of Township 1 South, Range 27 East. The Board approved \$200.00 per acre as sale price for the submerged area which survey maps indicated to be 8.2 acres; however, on March 19 a more accurate survey was submitted showing the area to be 11.4 acres between upland ownership and the bulkhead line. The corrected area was advertised for objections only in the Florida Times Union, proof of publication filed with the Trustees, and no objection to the sale received.

Upon motion by Comptroller Green duly adopted, the Trustees confirmed sale of the 11.4 acres, more or less, to the applicants at the price offered, \$200.00 per acre.

MONROE COUNTY - File No. 1103-44-253.12. On March 20 the Trustees considered offer of the established price of \$425.00 per acre from F.W.C. Corporation, abutting upland owner, for purchase of a parcel of submerged land in the Bay of Florida in Section 32, Township 63 South, Range 37 East, 0.65 acre, more or less, Upper Matecumbe Key. The land was advertised for objections only in the Key West Citizen, proof of publication filed with the Trustees, and no protest received.

Upon motion by Mr. Green duly adopted, the Trustees confirmed sale to the applicant at the price offered.

MONROE COUNTY - File No. 1104-44-253.12. On March 20 the Trustees considered offer of the established price of \$300.00 per acre, or \$100.00 minimum, from Roy L. Irwin and wife, abutting upland owners, for purchase of a parcel of submerged land in Florida Bay in Section 13, Township 62 South, Range 38 East, 0.27 acres, more or less, Key Largo. The parcel was advertised for objections only in the Key West Citizen, proof of publication filed with the Trustees, and no protest received.

Upon motion made by Mr. Green and duly adopted, the Trustees confirmed sale to the applicant for \$100.00 minimum deed amount.

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MONROE COUNTY - File No. 1107-44-253.12. On March 20 the Trustees considered offer of \$150.00 per acre from Suzanne Kline, abutting upland owner, for purchase of 145.1 acres, more or less, of submerged land within the traverse of mangrove area in Barnes Sound in Section 35, Township 59 South, Range 39 East and Section 2, Township 60 South, Range 39 East, at Main Key. The land was advertised in the Coral Tribune, Key West, Florida, proof of publication filed with the Trustees, and no protest was received.

Letter from the Izaak Walton League called attention to the value of the area for wild life and urged careful consideration before decision. In view of the nearness of the Everglades National Park wild life sanctuary, reported to be less than two miles, the Trustees considered the apparent advantages of creating improved waterways for boats where mangrove thickets existed and of placing the land on the county tax rolls.

Upon motion made by Mr. Green and duly adopted, the Trustees confirmed sale of the advertised land to the abutting upland owner for the recommended price of \$150.00 per acre.

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PALM BEACH COUNTY - File No. 1072-50-253.12. On March 20 the Trustees considered offer of the appraised price of \$1934.00 per acre from Sam Simonhoff et al, abutting upland owners, for purchase of a parcel of submerged land in Jupiter Sound in Section 30, Township 40 South, Range 43 East, 0.989 acre, more or less, within the established bulkhead line. The parcel was advertised for objections only in the Palm Beach Post, proof of publication filed with the Trustees, and no protest was received.

Upon motion by State Treasurer Larson, duly adopted, the Trustees confirmed sale of the advertised land to the applicants at the appraised price.

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PALM BEACH COUNTY - File No. 1055-50-253.12. On April 10 the Trustees confirmed sale of 3.55 acres of submerged land in Lake Worth in Section 26, Township 44 South, Range 43 East, in the Town of Palm Beach, to The Darby Corporation for the appraised value for the parcel, \$10,003.50. Subsequently, the yardage estimate and cost of filling were found to be grossly in error based on information furnished by applicant's engineer, the 3.55 acres requiring 75,000 cubic yards of fill material instead of 20,775 cubic yards. The lesser yardage amount appeared on the applicant's map of the dredging area and upon investigation proved to be the maximum volume available from that dredging area with 54,225 cubic yards to be needed to complete the fill, thus increasing the unit yardage cost and the total cost of constructing a marketable fill on the submerged 3.55 acres. The Staff found that the corrected yardage requirement was consistent with fill requirements in the immediate vicinity and, summarizing the two estimates for the information of the Board, recommended that sale be reconfirmed at \$5,625.00 for the parcel, based on the correct yardage costs.

Upon motion by Mr. Larson, seconded by Mr. Ervin and adopted, the Staff recommendation was approved and the Trustees reconfirmed sale to The Darby Corporation for \$5,625.00, corrected appraised value for the parcel.

APPLICATIONS FOR LAND

BREVARD COUNTY - File No. 1124-05-253.12. Robert P. McLarty, the abutting upland owner represented by Robert B. McGregor, offered \$521.00 per acre, the area appraisal, for 15.75 acres of submerged land in the Banana River in Section 34, Township 24 South, Range 37 East .

The staff advised that the bulkhead line in the zone was established in two segments which failed to connect property as mapped for applicant. The bulkhead line layout prevented equitable allocation of submerged lands to owners of Lots 7 to 11 and East 100 feet of Lot 12 in Block 46 of Cocoa Ocean Beach, and the Staff recommended rejection of the application for amending by the applicant to a cut-back area which would not obstruct reasonable extension and open water access to owners of the subdivision lots. Upon examination of the map, the Trustees requested revision of the bulkhead line for the over-all zone.

Upon motion duly adopted, the Trustees rejected the application and indicated that consideration would be given to an amended application for a cut-back area subject to modification of the area bulkhead lines.

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DADE COUNTY - File No. 1111-13-253.12. Lester A. Neumann and wife, abutting upland owners represented by R. M. Cooper, offered the appraised price of \$1960.00 per acre for a parcel of submerged land in Biscayne Bay in Section 8, Township 53 South, Range 42 East, 4.81 acres in City of Miami within the established bulkhead line.

Upon motion by Mr. Green duly adopted, the Trustees authorized advertisement of the parcel for objections only.

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DADE COUNTY - File No. 1122-13-253.12. Helen L. Peppard Trust, abutting upland owner represented by Wilson Trammell, offered \$3888.00 per acre, the appraised price in the area, for a parcel of submerged land in Biscayne Bay in Section 28, Township 54 South, Range 41 East, 0.17 acre within the established bulkhead line.

Upon motion by Mr. Green duly adopted, the Trustees authorized advertisement of the parcel for objections only.

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MONROE COUNTY - File No. 1127-44-253.12. Add E. Deville, abutting upland owner represented by G. A. Crawshaw, offered the established price of \$300.00 per acre for a parcel of submerged land in the Bay of Florida in Section 13, Township 62 South, Range 38 East, 0.92 acre at Key Largo.

Upon motion duly adopted, the Trustees authorized advertisement of the parcel for objections only.

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ORANGE COUNTY - File No. 1121-48-253.36. Dement Investment Company, abutting upland owner, represented by James C. Robinson, made application to purchase a small parcel of reclaimed bottom land in Lake Conway in Section 24, Township 23 South, Range 29 East, containing 0.018 acre, more or less. Applicant offered \$500.00 per acre, the established price, or the \$200.00 deed minimum for reclaimed Lake Conway bottoms within the 86.4 contour. The sale was approved by the Lake Conway Water and Navigation Control District.

Upon motion made by Mr. Green and duly adopted, the Trustees approved sale without advertisement, the usual procedure for this type of land, for the \$200.00 minimum amount.



OKEECHOBEE COUNTY - State Road Department made application for 19 lots owned by the Trustees in Okeechobee Gardens subdivision, Plat Book 2, Page 30, which were purchased by the Trustees from the State of Florida under the Murphy Act (Deed No. 05-Chapter 21684 dated December 15, 1950). The Road Department proposed to locate a maintenance yard upon Lots 27 to 38 inclusive in Block 58 of said subdivision. The Trustees owned Lots 1, 2, 3, 4, 7, 10, 11, 18, 23, 24, 25 and 26 fronting State Road No. 70, and Lots 27, 28, 29, 30, 31, 32, 36 and 37 in the area proposed for the maintenance yard, the lots last listed being directly across the street from lots sold at competitive bidding on this date. The Road Department requested conveyance of all 19 lots so that the highway frontage lots might be used for trading purposes to acquire Lots 33, 34, 35 and 38. Attention was called to the fact that the Road Department had purchased from the State certain Murphy Act lots needed for borrow pit purposes in St. Johns County and elsewhere.

Upon motion by Mr. Larson, seconded by Mr. Ervin and adopted, the Trustees granted to the State Road Department the lots within the proposed maintenance yard, Lot Nos. 27 through 32 inclusive, 36 and 37 for said purpose, and referred back to the Staff for study the request concerning lots outside the proposed maintenance yard, Lots 1, 2, 3, 4, 7, 10, 11, 18 and 23 to 26 inclusive.

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PALM BEACH COUNTY - File No. 1123-50-253.12. Griffith and Moore on behalf of the City of Boynton Beach made application for dedication for municipal purposes of a parcel of submerged land in Lake Worth in Section 15, Township 45 South, Range 43 East, in the City of Boynton Beach, containing one acre, more or less. Information was that the land would be used as a park.

Upon motion duly adopted, the Trustees approved dedication of the parcel to the City of Boynton Beach with three years non-use reversion clause in the instrument, subject to advertisement for objections only.

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PALM BEACH COUNTY - File No. 1075-50-253.12. Mrs. Winifred C. Anthony, abutting upland owner represented by Brockway, Weber and Brockway, offered the appraised price of \$2122.50 for the parcel, for purchase of 0.446 acre of submerged land in Lake Worth in Section 22, Township 43 South, Range 43 East, Town of Palm Beach within the established bulkhead line.

Upon motion by Mr. Green duly adopted, the Trustees authorized advertisement for objections only.

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PALM BEACH COUNTY - File No. 1109-50-253.12. May W. Bublitz, abutting upland owner represented by Brockway, Weber and Brockway, offered the appraised price of \$1383.75 per acre for a parcel of submerged land in Lake Worth in Section 26, Township 44 South, Range 43 East, 1.355 acres in the Town of Palm Beach within the established bulkhead line.

Upon motion by Mr. Green duly adopted, the Trustees authorized advertisement for objections only.

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#### BULKHEAD LINES

MARTIN COUNTY - Bulkhead Line and Application. File No. 1112-43-253.12.

Referred to the Trustees for formal approval was the amended bulkhead line adopted by the Board of County Commissioners of Martin County in regular meeting on February 27, 1962, affecting Lot 35 of the Subdivision of Lots 13 and 14 of the Miles or Hanson Grant according to the plat thereof in Plat Book 1, Page 89 of the Palm Beach County records, said land now lying and being in Martin County, Florida. The Director stated that the shape of the segment of bulk-

head line was such that when the next units were fixed, it appeared that the revised bulkhead line would be acceptable.

Attorney General Ervin recommended that the Trustees indicate to the county that the change would be acceptable as a part of an area bulkhead line fixed by the county and submitted to the Trustees as an over-all line.

Also presented to the Trustees was application by Roger M. Skillman et al, abutting upland owners represented by Robert F. McRoberts, Jr., with offer of the appraised price of \$275.00 for a parcel of submerged land in Great Pocket lying easterly of Lot 35 in the Hanson Grant in Township 38 South, Range 42 East containing 0.79 of an acre within the above mentioned bulkhead line.

Upon motion by Mr. Ervin seconded by Mr. Green and duly adopted, the Trustees rejected the "piece-meal" segment of changed bulkhead line and denied the application to purchase, pending establishment of an area bulkhead line.

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BROWARD COUNTY - The Staff recommended rejection of Catalina Island bulkhead line fixed November 1, 1960 by City of Fort Lauderdale Ordinance No. C-1692. The bulkhead line extended into right of way of the Intracoastal Waterway and encompassed submerged land up to within 120 feet of the Isla Bahia development. Action on the line was deferred by the Trustees on December 20, 1960 for request to be made to the City of Fort Lauderdale to consider revision to avoid infringement upon the waterway and suggestion that the line conform more closely to the island land mass, which request was made December 21, 1960 to the City Commission but no response received. At this time the owner requested final action and indicated that a revised bulkhead line would be proposed.

Upon motion duly adopted, the Trustees rejected the bulkhead line adopted by Fort Lauderdale on November 1, 1960, in Ordinance C-1692 for the reasons stated.

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LEE COUNTY - Recommended for formal approval was the bulkhead line fixed by the Board of County Commissioners of Lee County by Resolution adopted March 21, 1962, around Cabbage Key in Sections 17 and 20 of Township 44 South, Range 21 East and around unsurveyed mangrove areas known as Middle Key and Bird Key in Section 17 of Township 44 South, Range 21 East. The Trustees examined the map submitted and noted that the bulkhead line held generally to the shore and straightened shoreline contours.

Upon motion duly adopted, the Trustees formally approved the bulkhead line fixed by the Board of County Commissioners of Lee County on March 21, 1962.

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#### MISCELLANEOUS

BROWARD COUNTY - McLaughlin Engineering Company, on behalf of Courtney Stewart, the owner of the remainder of Lots 3 and 4, Block 1 of Seabreeze Estates, Plat Book 2, Page 48 of Broward County Records, in Section 25, Township 50 South, Range 42 East, made application to purchase said lots. The original Seabreeze Estates Subdivision existed east of New River Sound along the Atlantic Ocean but was torn out by storms or natural causes and New River Sound filled naturally with a corresponding area. A narrow portion of the original subdivision survived to which the new area attached.

The minutes of September 18, 1951 showed that the area in which the subject lots existed was advertised for objections only and sale confirmed on that date for various applicants seeking to clear title to lots in the new area corresponding to those in the destroyed area. The Staff recommended quitclaim to the applicant for \$246.00,

based on the established price at the rate of \$300.00 per acre.

Upon motion made by Mr. Larson and duly adopted, the Trustees approved the recommendation and authorized issuance of the quitclaim to the 0.82-acre area for \$246.00 consideration.

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LAKE AND ORANGE COUNTIES - Upon motion made by Mr. Green and duly adopted, the Trustees authorized issuance of permits to the following upland owners to remove from lake bottoms riparian to their upland properties stated amounts of fill material to repair shore erosion and improve the uplands, subject to compliance with permit regulations and recommendations of the Game and Fresh Water Fish Commission:

- (1) Lake Dora in Lake County. Application by W. H. Frick for 400 cubic yards of material for \$25.00 minimum charge.
- (2) Lake Dora in Lake County. Application by Thomas Carver for 500 cubic yards of material for \$25.00.
- (3) Lake Dora in Lake County. Application by Harry H. Mielke for 1000 cubic yards for \$50.00 charge.
- (4) Lake Gertrude in Lake County. Application by Mrs. Eugene V. VanWickle for 1000 cubic yards for \$50.00 charge.
- (5) Lake Beauclair in Lake-Orange Counties. Application by Edwin J. Eltings for 500 cubic yards for \$25.00 charge.

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MONROE COUNTY - The University of Miami, owner of the North 26.88 acres of Government Lot 2 in Section 18, Township 59 South, Range 41 East and 28.1 acres of adjacent submerged land in the Straits of Florida, requested release of oil and minerals reserved in said submerged land under Trustees' Deed No. 22287 issued October 30, 1959 to the University. The upland parcel of 39.8 acres was given to the University on December 31, 1958 by Mr. and Mrs. Joseph A. Kelleher and subsequently the Trustees released oil and mineral reservation (Trustees' Deed No. 20278-A) in recognition of the fact that the land had been granted to further the educational program of the University. The submerged parcel was advertised for objections and sale confirmed to the University as the riparian upland owner in order that the University might obtain maximum utility from the lands.

Policy expressed in the minutes of May 10, 1960 required filling and declaration of use for building sites before granting release of reserved oil and minerals; however, the subject parcel by reason of being an asset of the University appeared to be in a different category from areas of private development. Release without charge was recommended as consistent with the Trustees' contribution of the submerged parcel to the educational program.

Motion was made by Mr. Larson and adopted that the Trustees grant to the University of Miami release of the oil and minerals reserved in the submerged land conveyed under Trustees' Deed no. 22287.

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PALM BEACH COUNTY - The office of the Attorney General suggested approval in the minutes for issuance of purchase contract No. 22924 to Robert L. Clark (one-fourth interest), Kathryn W. Clark his wife (one-fourth interest), Kathryn W. Clark and Esther Wiley (Tozer) as Trustees under Trust Indenture dated April 1, 1955 (one-half interest). The lands were sold November 14, 1961 to C. Shelby Dale as Trustee, from whom request dated February 17, 1962 was received for the purchase contract to be made to the parties named above.

Upon motion by Mr. Larson duly adopted, the Trustees approved request of the purchaser as assignment of the bid.



PALM BEACH COUNTY - Brookway, Weber and Brookway on behalf of St. Paul's Benevolent Educational and Missionary Institute, the owner of uplands in Section 4, Township 42 South, Range 43 East, Palm Beach County, requested disclaimer of a tract of 8.606 acres of filled land in Lake Worth in said Section 4 abutting applicant's uplands. The said tract of sovereignty land was a part of the area filled under Department of the Army Permit SAKSP 800.61 (57-104) issued May 21, 1957 as approved by Trustees April 23, 1957 upon payment of \$19,060.00. Staff recommended issuance of ex parte disclaimer of the area which was filled in accordance with the policy in effect prior to passage of the Bulkhead Act June 11, 1957.

Upon motion made by Mr. Larson and duly adopted, the Trustees approved the staff recommendation for ex parte disclaimer for handling charge of \$10.00.

PINELLAS COUNTY - Article 14 of the Agreement authorized by the Trustees April 14, 1959 with the City of Dunedin and the developers of Honeymoon and Caladesi Islands provided for plans and specifications for dredging and filling to be submitted to the city and upon its approval, to be submitted to the Trustees and to Pinellas County Water and Navigation Control Authority, the latter to make recommendation within 30 days to the Trustees whose authority to make final approval was exclusive. On July 8, 1959 the plan by Harlan Bartholomew & Associates, revised in December 1958, was approved by the Trustees.

On April 13, 1962 the City of Dunedin submitted for Staff review and comment "Copy of a Land Use Plan which is currently being used by the developers of Honeymoon Island, prepared by Southworth Associates", not approved by the city. After comparative study the staff submitted the 1958 and 1962 plans to the Attorney General who, based on the limited data, concurred with the Staff's position that the 1958 Bartholomew plan was definitely more desirable and attractive than the 1962 Southworth proposal and suggested that the Trustees' reaction to this attempt to substitute a new plan, without affirmative approval of the city and Trustees, be communicated to the city. The two plans were presented for comparative examination of the Board.

Upon motion made by Mr. Ervin, seconded by Mr. Green and adopted; the Board directed that the City of Dunedin be advised that the proposed land use modification shown on the 1962 plan was not acceptable as a substitute for the plan which was formally approved by the Trustees on July 8, 1959.

PINELLAS COUNTY - Upon motion by Mr. Larson duly adopted, the Trustees authorized issuance of State Permit to Master Marine, Inc., for construction of covered boat slips in Tampa Bay at applicant's property in Section 16, Township 30 South, Range 17 East; for which permit had been issued by Pinellas County Water and Navigation Control Authority and \$100.00 processing fee tendered to Trustees.

#### SUBJECTS UNDER CHAPTER 18296

Upon motion by Mr. Larson and duly adopted, the Trustees approved Report No. 813 listing 2 bids for sale of Murphy Act land and authorized execution of deeds pertaining thereto.

Upon motion duly adopted the Trustees adjourned.

ATTEST

  
DIRECTOR - SECRETARY

  
GOVERNOR

  
CHAIRMAN

Tallahassee, Florida  
May 15, 1962

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

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Van H. Ferguson	Director- Secretary
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#### APPLICATIONS TO PURCHASE

PINELLAS COUNTY - On January 23, 1962 the Trustees deferred action on application by Mrs. Ethel King to purchase 15 acres of submerged land in St. Joseph Sound within the established bulkhead line fixed for two islands, and on April 3 the Trustees' Engineer reported on his investigation. Applicant's plan to enclose the area with seawall, to fill, level and plant to minimize wind erosion was reviewed, and the applicant agreed to accept deed containing provision that the conveyance carried no obligation to approve or grant access from the mainland. Trustees deferred final action to allow expression from the City of Dunedin and Pinellas County. The city responded by letter that since March 5 unsuccessful efforts had been made to obtain a price offer from Mrs. King for sale to the city.

The Trustees received copies of five resolutions, identical in text, from local organizations requesting the city to get the islands into public ownership. Added to the Trustees' file were additional letters of protest and letters favoring the application.

In view of the fact that the City of Dunedin had sought to purchase the islands but did not exercise its right of eminent domain, the Staff did not recommend further deferment on behalf of the city and recommended sale at the appraised value. A number of interested parties were present and the Trustees heard from Stephen Hughes, representing the applicant, and from Howard P. Rives, city attorney. Mr. Rives assured the Trustees that the City Commission would immediately adopt an appropriate resolution and take action to institute eminent domain proceedings for taking the islands, an appraisal having been made and the value being within the city's means, and he further assured the Trustees that upon acquisition the city would be willing to convey the islands to the state for reconveyance to the city with restrictions for recreational use only.

Mr. Hughes objected that the City Commission had authority to act only in official meetings, that the threat of condemnation had been made several times and that he felt there was no public necessity for taking. Briefly summarizing the application from October of 1960 when applicant filed with the county for setting the bulkhead line, he stated that applicant had cooperated with every authority concerned, submitted plan with seawall, had no plans for development at this time and made no request for access. He urged the Board to consider the application on its merits.

Attorney General Ervin stated that while it had appeared that sale was indicated because of the bulkhead line and the showing made for the applicant, now that the City of Dunedin was beginning condemnation immediately he thought the Trustees should postpone action for a reasonable time in view of the Board's policy to cooperate and allow the local unit opportunity to further its program for recreation. Mr. Ervin suggested thirty days and recommended that it be made clear that the city would not use the land for anything but a public project and not for speculation.

Upon motion by Attorney General Ervin, seconded by Treasurer Larson and unanimously adopted, the Trustees denied petition for sale at this time conditioned upon the action of the City of Dunedin within thirty days to institute and successfully conclude in due course a condemnation proceeding, there being a further condition that the sale, if consummated from the Trustees to the city, would be subject to a reversion condition being imposed that would prevent the submerged area surrounding the islands from ever going into private ownership.

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MONROE COUNTY - File No. 1129-44-253.12. Howard J. Jackson and wife, abutting upland owners represented by G. A. Crawshaw, offered the established price of \$425.00 per acre for a parcel of submerged land in the Straits of Florida in Section 23, Township 63 South, Range 37 East, 0.36 of an acre at Windley Key.

Upon motion duly adopted, the Trustees authorized advertisement of the parcel for objections only.

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MONROE COUNTY - File No. 1130-44-253.12. Maxwell L. Coleman, Trustee, abutting upland owner represented by G. A. Crawshaw, offered the established price of \$300.00 per acre for a parcel of submerged land in the Straits of Florida in Section 18, Township 63 South, Range 38 East, 4.55 acres at Plantation Key.

Upon motion duly adopted, the Trustees authorized advertisement of the parcel for objections only.

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PALM BEACH COUNTY - File No. 1131-50-253.12. Kenneth Arnold, abutting upland owner represented by Brockway, Weber and Brockway, offered the appraised value of \$1383.75 per acre for a parcel of submerged land in Lake Worth in Section 26, Township 44 South, Range 43 East, 1.386 acres at the Town of Palm Beach within the established bulkhead line.

Upon motion duly adopted, the Trustees authorized advertisement of the parcel for objections only.

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PALM BEACH COUNTY - File No. 1110-50-253.12. Samuel Smiley, represented by Brockway, Weber and Brockway, applied for (a) disclaimer under Section 253.129 Florida Statutes covering a parcel of land containing 0.185 acre in Section 23, Township 44 South, Range 43 East, Town of Palm Beach, filled prior to enactment of the Bulkhead Act, and (b) deed to a parcel of submerged land westerly of the area in "(a)" in said Section 23 in the Town of Palm Beach containing 1.147 acres within the established bulkhead line, appraised at \$1550.00 per acre.

Upon motion duly adopted the Trustees authorized issuance of the disclaimer for \$10.00 charge and advertisement for objections only of the parcel requested to be deeded.

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#### BULKHEAD LINES

LEE COUNTY - The Board of County Commissioners of Lee County on November 22, 1961 adopted a resolution reciting that "a bulkhead line was established as: one foot from shoreline" and that survey for such line "following the contours of the existent shoreline" had been made, an attached copy of map and legal description of the line being made a part of the resolution by reference. The resolution stated that "this bulkhead line is established with the specific understanding and agreement that there will be no offshore dredging from the waters of the bay or inlets thereto for the purpose of obtaining fill with the exception of channels to deep water at intervals across such waterfront property, and specific permission must be obtained from this Board for such channels." The line, fixed pursuant to petition of Berry Williams as Trustee, conformed to the edge of extensive mangrove masses along the north side of



Matanzas Pass and Estero Bay, but also encompassed some areas of open water, mangrove flats or islands, and crossed Sections 18, 19, 20, 29, 28, 21, 27, 26, 23, 24 and 25 of Township 46 South, Range 24 East. Location of the line of mean high water could not be estimated from available maps. The U. S. survey meander was considered grossly erroneous and all of the uplands along the meander were patented by the U. S. in 1879 in accordance with its survey.

Specific objections to the bulkhead line were that the line was not mapped one foot offshore as fixed in the resolution, that the line would take in a valuable wildlife area and allow private interests to acquire an inordinately large area for private use and profit. Some objectors proposed that the land in question be converted into a state park, but riparian rights of upland owners would have to be resolved. The area was less than twelve miles from the proposed J. N. (Ding) Darling Wildlife Sanctuary State Park, which would include some 1800 acres of land and swampy mangrove areas on Sanibel Island. State Board of Conservation report dated April 10, 1962, cited an earlier report in connection with a contemplated bulkhead line which the county had modified to restrict dredging, cited efforts of the State Park Board toward establishment of a marine park in the vicinity of Mound Key and Estero River, and that the anticipated development of the privately owned low upland would affect marine life.

After considerable discussion and examination of maps submitted, the Trustees heard from George Allen, representing property owner, Berry Williams, and Emmett Anderson, representing Lee County Conservation Association.

Upon motion by Commissioner Conner, seconded by the Attorney General, and duly adopted, the Trustees called for an inspection and report by Engineer William R. Kidd, requested that he contact the County Commission to clarify the location of the bulkhead line and to have resolution and map prepared in conformity; also, the Board requested the Engineer to investigate the objections.

SARASOTA COUNTY - Presented to the Trustees for approval were bulkhead lines established by the Board of County Commissioners of Sarasota County, sitting as the Sarasota County Water and Navigation Control Authority, as follows:

- (1) Bulkhead Line in Little Sarasota Bay, westerly shore, in Section 18, Township 37 South, Range 18 East, offshore from upland properties of Gulf and Bay Club, adopted by County Resolution dated April 27, 1962 (County Application No. 62-56);
- (2) Bulkhead Line in Little Sarasota Bay, westerly shore, in Section 18, Township 37 South, Range 18 East, offshore from upland properties of Stanton Investment Company, adopted by County Resolution dated May 9, 1962 (County Application No. 62-57);
- (3) Bulkhead Line in Roberts Bay, westerly shore, in Section 12, Township 37 South, Range 17 East, adopted by County Resolution dated April 27, 1962; (County Application No. 62-58);
- (4) Bulkhead Line in Little Sarasota Bay, westerly shore, in Sections 18 and 19, Township 37 South, Range 18 East, adopted by County Resolution dated April 27, 1962. (County Application No. 62-59);

Upon motion duly adopted, the Trustees formally approved the four bulkhead lines as established by Sarasota County.

#### MISCELLANEOUS

BREVARD COUNTY - Brevard County Board of Public Instruction requested five-year extension of time limitation contained in Trustees Deed No. 21414 issued November 9, 1956, which granted a tract of submerged

land in Banana River in the northeast corner of Section 16, Township 25 South, Range 17 East, for public school purposes with requirement that a public school be built on the site within five years. Original deed was lost and new deed issued July 11, 1957 under which the five-year provision would not expire until July 10, 1962.

Without objection, the Trustees agreed to extend the five-year requirement for construction of a school for an additional five years.

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DADE COUNTY - Without objection, the Trustees authorized issuance of State Permit to Allied Marine Corporation for modification of marina including installation of new breakwater in accordance with recommendations of Coastal Engineering Laboratory at applicant's marina for which Permit No. 1398(CD-83) was issued September 8, 1960. Since the modification was a major change, charge of \$100.00 was fixed.

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MARTIN COUNTY - Harry F. Dyer on behalf of E. C. Wareheim, riparian upland owner and owner of an offshore island and intervening submerged Indian River lands at Sewall's Point, requested removal or modification of restrictive clause in Trustees Deed No. 20202 by which the island was conveyed in 1952 to applicant's predecessor. Applicant subsequently acquired the upland and island and in 1956 purchased the intervening submerged land, Deed No. 21442 not containing the restrictive clause which required that no part of the island could be sold without including the corresponding upland owned by the grantee on the date of sale. The clause as imposed was read as requiring inclusion of all upland owned by the applicant at the time of purchase.

Staff recommended amending the clause by recordable instrument approved by the Attorney General whereunder sale of the islands and submerged lands covered by the two deeds would be subject to inclusion of the portion of the waterfront upland to which the sale area was riparian or adjacent, but not to require inclusion of all upland owned by applicant's predecessor on date island was sold in 1952, and that the restrictive provision automatically terminate at such time the riparian owners filled and developed the submerged land and island and dedicated to the use of the public all areas then remaining unfilled.

Upon motion duly adopted, the Trustees approved the recommendations as the action of the Board.

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MONROE COUNTY - The Director recommended refund of advance rentals in the total sum of \$900.00 paid by John A. Lewallen on behalf of himself and eight other applicants for lease of frontages on the bridge approach of the former Card Sound Road. After the applications were filed, Monroe County advised that it planned to reopen the old road which connected Key Largo and Florida City and requested that no new leases be granted.

Upon motion by Mr. Larson duly adopted, the Trustees authorized refund of the advance rentals.

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OKALOOSA COUNTY - The Trustees considered further the complaint of Elbert R. Davis concerning a dock constructed without State Permit, under direction of J. R. Oden, connected to boathouse or other facilities leased to Mr. Oden by Fort Walton Yacht Club. On October 17, 1961 the Trustees authorized action taken to order removal of the dock and if not removed or its existence was not justified and State Permit obtained, that the Attorney General be authorized to take appropriate action. Notices were issued by registered mail October 18, 1961 to Mr. Oden and the Yacht Club; Mr. Oden advised on November 27, 1961 that he would apply for permit upon receipt of the requirements - which were forwarded to him November 30, 1961. The Yacht Club on October 26, 1961 advised that the upland to which the boat house attached was held by the Club under lease and that since the sublease to Mr. Oden

contained no provision prohibiting construction of the dock, the Club requested that the Trustees handle the matter directly with Mr. Oden.

No application for after-the-fact permit was received and the objector requested action by the Trustees. Mr. Oden, the Yacht Club and James Nowling Cox were notified of consideration on this date.

The Attorney General in reviewing the situation expressed the Board's belief in its authority to regulate by permit the construction of docks and such structures along the waterfront, and he felt that so long as the regulation program was reasonable and uniform, the Trustees would be sustained.

Upon motion by Mr. Larson, seconded by Mr. Green and adopted, the Trustees referred the matter to the Attorney General for appropriate action.

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OSCEOLA COUNTY - Central and Southern Florida Flood Control District applied for perpetual easement for canal right of way purposes for the Tohopekaliga-Cypress Lake Canal over a parcel of Lake Tohopekaliga bottom land in Section 18, Township 27 South, Range 30 East, 380 feet total width extending from the original high water mark into the lake a distance of 200 feet. The District had acquired the same width right of way across the uplands.

Without objection, the Trustees granted the perpetual easement to Central and Southern Florida Flood Control District.

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PALM BEACH COUNTY - Central and Southern Florida Flood Control District requested perpetual easement for secondary canal right of way over land, title to which was in the Trustees, being the North 260 feet of Section 20, the North 260 feet of the East 3/4 of North 1/8 of Section 21, and the North 260 feet of that part of Section 22 lying West of the Miami Canal, all being in Township 46 South, Range 35 East, Palm Beach County.

Without objection, the Trustees granted the perpetual easement to Central and Southern Florida Flood Control District.

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PALM BEACH COUNTY - Request was made on behalf of Charles R. Labens as Trustee for correction of Deed No. 22938 issued April 10, 1962 in which initial of grantee was erroneously shown. Mr. Labens was successful bidder at public sale November 28, 1961 and sale was confirmed to him as Charles Labens as Trustee.

Without objection, the Trustees authorized issuance of corrective deed.

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PALM BEACH COUNTY - The East Beach Water Control District requested perpetual dedication for construction of a pumping station over a parcel of reclaimed lake bottom land in Section 23, Township 42 South, Range 36 East, containing 0.32 acre. The upland owner of the abutting surveyed land relinquished his prior right to purchase and consented to the dedication.

Without objection, the Trustees authorized the perpetual dedication to East Beach Water Control District.

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PINELIAS COUNTY - The Director recommended issuance of State Permit to the City of Clearwater for installation of a concrete pier-groin (SAKSP 62-257) into the Gulf of Mexico at Clearwater Beach, in accordance with recommendations of the Coastal Engineering Laboratory. City would bear the cost of the structure under agreement with upland owner, Mandalay Shores, Inc. Since the city did not contract with the Laboratory for the study, the usual processing fee of \$100.00 was recommended.

Without objection, the Trustees authorized issuance of the State Permit for \$100.00 processing fee.



SARASOTA COUNTY - The State Road Department requested dedication for highway right of way purposes for a portion of State Road No. 789 over submerged bottoms of Little Sarasota Bay in Section 35, Township 38 South, Range 18 East, being a strip forty feet each side of centerline of said state road.

Without objection, the Trustees authorized the dedication to the State Road Department of Florida.

TRUSTEES FUNDS - Fair Building. Commissioner Doyle Conner presented the application of Lake County Fair Association for \$4,500.00 matching funds to construct an exhibit building, plans for which were examined and application approved by the Agricultural and Livestock Fair Committee on February 22, 1962.

Upon motion by Commissioner Conner, adopted without objection, the Trustees authorized release of \$4,500.00 to be matched by local funds for construction of Lake County Fair Association building under the polity established by Resolution of the Trustees on July 18, 1961.

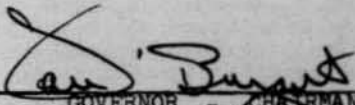
TRUSTEES FUNDS - Equipment. Upon motion by Mr. Green duly adopted, the Trustees authorized purchase of two I. B. M. standard typewriters with net cost, after trade-in allowance, of \$265.90 and \$278.20 respectively; also one four-drawer legal file for \$113.05, 4 wastebaskets for \$13.14, and one roller stool for \$13.18.

SUBJECTS UNDER CHAPTER 18296

ST. JOHNS COUNTY - John R. Wright, Jr., offered \$6.00 per cord for pine trees killed by a recent fire on state lands in Hilden subdivision near U. S. Highway No. 1 about two miles south of the Duval County line. The state owned several blocks and a number of scattered lots, the boundaries of which were undefined. The Board considered a report and recommendation made by the Florida Board of Forestry.

Upon motion by Commissioner Conner duly adopted, the Trustees authorized sale of the state-owned trees killed by fire at \$6.00 per cord.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
May 22, 1962

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

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Van H. Ferguson	Director-Secretary
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Upon motion duly adopted, the Trustees approved the minutes of the meetings of May 8 and 15, 1962, which were approved by the Attorney General and copies presented to each member.

#### LAND SALES

OKEECHOBEE COUNTY - Competitive Bids. On March 27 the Trustees considered offer of \$100.00 per lot from Russell Rogers as starting offer for sale of lots in the northeast section of Okeechobee which vested in the State under the Murphy Act and were purchased by the Trustees from the State of Florida. Lot 18, Block "E" of Wright & Bass Subdivision as per plat recorded in Plat Book 1, Page 7, and Lot 24, Block 5 of Bass Subdivision as per plat recorded in Plat Book 2, Page 3, Okeechobee County Records, were advertised in the Okeechobee News, proof of publication filed with the Trustees, and no objection to the sale was received. Notice of the sale recited "subject to any outstanding municipal and/or drainage taxes" and purchaser was required to pay advertising cost in the sum of \$20.70 and affix necessary documentary tax stamps to the deed.

Description of the lots was called out and there was no competitive bidding.

Motion was made and adopted that the Trustees accept the high bid of \$200.00 for said Lots 18 and 24 and confirm sale in favor of Russell Rogers.

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BAY COUNTY - File No. 1036-03-253.12. On February 20, 1962, the Trustees deferred sale of a parcel of submerged land in Watson Bayou in Section 9, Township 4 South, Range 14 West, City of Panama City, within the established bulkhead line, which was applied for by Harby Marina, Inc., abutting upland owner. Trustees' Engineer William R. Kidd investigated and recommended realignment, reducing the 0.98 acre area originally applied for to 0.68 acre, more or less, which was acceptable to applicant and objectors.

Upon motion duly adopted, the Trustees confirmed sale of the adjusted area at \$300.00 for the parcel.

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DADE COUNTY - File No. 1106-13-253.12. On April 10 the Trustees considered offer of the appraised value of \$1875.00 per acre from Dr. Sanel Beer, abutting upland owner, for a parcel of submerged land in Biscayne Bay in Section 18, Township 53 South, Range 42 East, 0.38 of an acre, more or less, in the City of Miami, within the established bulkhead line. The land was advertised for objections only in the Miami Daily News, proof of publication filed with the Trustees, and no objection received.

Upon motion duly adopted, the Trustees confirmed sale of the advertised parcel to Dr. Beer at the appraised price.

MONROE COUNTY - File No. 1108-44-253.12. On April 10 the Trustees considered offer of the established price of \$250.00 per acre from Sidarlen Development Corporation, abutting upland owner, for two contiguous parcels of bay bottom land comprising 56.35 acres, more or less, in Sections 3 and 4, Township 65 South, Range 35 East, on Long Key. The land was advertised for objections only in the Key West Citizen and proof of publication filed with the Trustees.

Request for deferment was made by Bernie C. Papy on the grounds that he held a mortgage on the property.

Without objection, the Trustees deferred final hearing until June 5, 1962.

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MONROE COUNTY - File No. 1115-44-253.12. On April 17 the Trustees considered application by Pete Signorelli, abutting upland owner, with offer of the established price of \$300.00 per acre for purchase of a parcel of submerged land in Largo Sound in Section 14, Township 61 South, Range 39 East, Key Largo, 0.27 of an acre, more or less. The land was advertised for objections only in the Coral Tribune, proof of publication filed with the Trustees, and no objections received.

Upon motion duly adopted, the Trustees confirmed sale of the advertised parcel to the applicant for the \$100.00 minimum amount.

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PALM BEACH COUNTY - File No. 1089-50-253.12. On April 10 the Trustees considered offer of the appraised price, \$3007.50 for the parcel, from Anton Micksch and wife, abutting upland owner, for purchase of 1.561 acres, more or less, of sovereignty land in Lake Worth in Section 28, Township 42 South, Range 43 East, within the established bulkhead line at the City of Riviera Beach. The land was advertised in the Palm Beach Post, proof of publication filed with the Trustees, and no protest received. Central and Southern Florida Flood Control District waived objection to the sale.

Upon motion duly adopted, the Trustees confirmed sale of the advertised land to the applicant based on the appraised price.

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PALM BEACH COUNTY - File No. 1100-50-253.12. On April 10 the Trustees considered offer of the appraised price of \$1925.00 per acre from Fred Kramer and wife, riparian upland owners, for purchase of a parcel of submerged Lake Worth land in Section 34, Township 44 South, Range 43 East, City of Lantana, containing 0.38 acre, more or less within the established bulkhead line. The land was advertised for objections in the Palm Beach Post and proof of publication filed with the Trustees. The area was designated for spoil disposal for Intracoastal Waterway work.

Objection by Raymond M. Huening and seven other owners of properties on the north side of Croton Avenue (twenty-five feet wide) was based on their petition for the City of Lantana to acquire land along the south side of the street to widen it to fifty feet, which would take the north twenty-five feet of the applicant's upland. The Town of Lantana did not object to the sale, the Clerk having advised that arrangement was made to acquire the upland strip.

The Director recommended that objection be overruled and sale confirmed, but that issuance of deed be deferred to ascertain whether the city desired the north twenty-five feet of the submerged parcel reserved for extension of Croton Avenue to the bulkhead line and that, in such event, provided the applicant would accept the reduction that deed issue accordingly; but if street extension was not planned that the deed issue without reduction of the area.

Upon motion by Mr. Green duly adopted, the Trustees overruled the objections and confirmed sale with issuance of deed deferred as recommended.



PALM BEACH COUNTY - File No. 1099-50-253.12. On April 10 the Trustees considered offer of the appraised price of \$1925.00 per acre from Mrs. R. C. Jensen, riparian upland owner, for purchase of a parcel of submerged land in Lake Worth in Section 34, Township 44 South, Range 43 East, City of Lantana, containing 0.36 of an acre, more or less. The parcel was advertised for objections only in the Palm Beach Post and proof of publication filed with the Trustees. The area was designated for spoil disposal for Intracoastal Waterway work.

Objections filed by Rebecca C. Frizell, Dr. A. F. Dooling and seven other owners cited possible damage by erosion, loss of view and sewage causing health hazard. In the opinion of the Staff, the objections were unwarranted since currents in Lake Worth did not materially erode shores in the zone, extension could not obstruct view from the objectors' property directly lakeward, and sewage in public waters was a municipal problem. The City of Lantana did not object to the proposed sale.

Upon motion by Mr. Green duly adopted, the Trustees overruled the objections and confirmed sale of the advertised parcel at the appraised price.

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PALM BEACH COUNTY - File No. 324-50-253.36. Maymie Henderson, adjacent upland owner represented by Carlos R. Dickey, offered the appraised price of \$200.00 per acre for a parcel of reclaimed Lake Okeechobee bottom land in Section 34, Township 43 South, Range 35 East, 8.01 acres, more or less. Sale without advertisement was recommended, following the usual procedure for sale of this kind of reclaimed land.

Upon motion by Attorney General Ervin duly adopted, the Trustees approved sale at the appraised price subject to filing by the Central and Southern Florida Flood Control District of waiver of objections.

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PALM BEACH COUNTY - File No. 1114-50-253.36. Linel Corporation, abutting upland owner represented by Robert M. Lewis, offered the appraised price of \$300.00 per acre for a parcel of reclaimed Lake Okeechobee bottom land in Section 2, Township 44 South, Range 35 East, 4.28 acres, more or less. Sale without advertisement was recommended, following the usual procedure for sale of this kind of reclaimed land.

Upon motion by Attorney General Ervin duly adopted, the Trustees approved sale at the appraised price subject to filing by the Central and Southern Florida Flood Control District of waiver of objections.

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#### APPLICATIONS FOR LAND

BREVARD COUNTY - File No. 1124-05-253.12. Robert P. McLarty, riparian upland owner, offered \$521.00 per acre, area appraised value, for submerged Banana River land in Section 34, Township 24 South, Range 37 East, adjacent to his upland in Blocks 46 to 51 Cocoa Ocean Beach, Plat Book 10, Page 16, within the established bulkhead line. On recommendation of the staff on May 8 the application for 15.75 acres was rejected as an infringement on riparian rights of others. Subsequently the applicant agreed to a reduced area in accordance with layout suggested by the Staff.

Upon motion duly adopted, the Trustees authorized advertisement of the 12.5 acres, subject to applicant furnishing engineering description and revised map.

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MONROE COUNTY - File No. 1139-44-253.12. Monco of Monroe, Inc., the abutting upland owner represented by Bruce Vining, offered \$235.00 per acre, the area appraisal, for a parcel of submerged land in Broad Creek in Sections 32 and 33, Township 58 South, Range 41 East, containing 28.6 acres, more or less. The Trustees,

noting that the area was directly across the county line, were informed by Mr. Vining that it was a shallow area in a broad natural waterway not related to the City of Islandia islands.

Upon motion duly adopted, the Trustees authorized advertisement of the land for objections only.

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PALM BEACH COUNTY - File No. 1133-50-253.12. Gee and Jenson on behalf of abutting upland owners, Edward Corporation and Isabel Corporation, applied to purchase two contiguous parcels of submerged land in Jupiter Sound in Section 31, Township 40 South, Range 43 East, Parcel 1 containing 0.021 acre and Parcel 2 containing 0.115 acre, both with the appraised value of \$1934.00 per acre (\$100.00 minimum for Parcel 1, in this instance).

Upon motion duly adopted, the Trustees authorized advertisement of the two parcels for objections only.

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MARTIN COUNTY - Bulkhead Line and Application. File No. 1112-43-253.12. On May 8 the Trustees declined to approve a segment of amended bulkhead line 346.18 feet long, fixed 100 feet offshore by the Board of County Commissioners of Martin County on February 27, 1962 pursuant to Section 253.122(4). The original bulkhead line was established one foot offshore which, in effect, was of questionable value since having no bulkhead line would have the same operation to prevent sale and filling outward from the shore. The segment was not objectionable in itself, but an area bulkhead line was suggested. Robert F. McRoberts, attorney for the riparian owner, reported that the county did not assume the engineering costs which were an obstacle to his client's efforts about a year ago to secure an amended line for a longer shore frontage. The applicant had development plans for his upland and the 0.79 acre of submerged land between his shore and the amended line.

Since the county did not appear in position to furnish engineering, the Staff recommended the amended line and advised that it would be feasible to check each segment with reference to shore and bottom conditions and coordination with other segments. Any variance from an orderly area pattern would be approved only where the variation was justified.

Also, Mr. McRoberts on behalf of Roger M. Skillman et al, riparian upland owners, offered the appraised price of \$275.00 for a parcel of submerged land in the "Great Pocket" of Indian River, riparian to applicants' Lot 35 of the Subdivision of Lots 13 and 14 of Miles (Hanson) Grant, Plat Book 1, Page 89, landward of the amended bulkhead line fixed by the county on February 27, 1962.

Upon motion duly adopted, the Trustees formally approved the segment of amended bulkhead line established by Martin County Commission on February 27, 1962; also, the Trustees authorized advertisement for objections only of the parcel applied for by the upland owners.

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#### LEASES

DADE COUNTY - Request was made for assignment of Lease No. 1177 from Ships and Power, Inc., to Southeastern Towing and Transportation Co., Inc., executed copy of assignment and acceptance having been filed with the Land Office and cash security being deposited with the Trustees in the amount of \$1,185.00 in lieu of surety bond.

Without objection, the Trustees approved the assignment of Lease No. 1177 to Southeastern Towing and Transportation Co., Inc.

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GLADES COUNTY - James E. Wiggins, holder of Grazing Lease No. 817, requested an additional extension of six months, the last extension having expired May 1st. Land covered by the lease was reclaimed Lake Okeechobee land between upland of U. S. Sugar Corporation and the levee right of way. The firm had applied to purchase the land and pending final consideration on possible sale to the adjacent

upland owner and coordination with plans of the Central and Southern Florida Flood Control District, the Staff recommended granting six month extension of lease with 90 day cancellation notice to be given when such sale was confirmed.

Without objection, the Trustees approved the recommendation for six month extension with 90 day cancellation notice.

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PALM BEACH COUNTY - Ralph W. Bishop applied for 20-year agricultural lease of that part of the North 3/4 of Section 27, Township 44 South, Range 35 East, 231.4 acres, east of right of way of Miami Canal less the North 130 feet and less the East 130 feet designated by Central and Southern Florida Flood Control District for secondary channels. The parcel was 4 1/2 miles south of Lake Harbor, without existing access, in the wild state and the only land owned by the state in that township. Mr. Bishop offered rental as follows: \$2 per acre per year for first three years; \$4 per acre per year for next three years; \$6 per acre per year for 7th, 8th, 9th and 10th years; \$8 per acre per year for 11th, 12th, 13th, 14th and 15th years; \$10 per acre per year for 16th, 17th, 18th, 19th and 20th years, or total rental of \$30,844.80 for the twenty years. The offer made averaged \$1542.24 per year for the tract, and Mr. Bishop offered to make improvements valued at \$8000.00 during the first three years. Central and Southern Florida Flood Control District filed waiver of objections to sale or lease.

Upon motion by Commissioner Conner, seconded and adopted, the Trustees authorized 20-year agricultural lease to Mr. Bishop on the basis of his offer, with provisions consistent with those in recent agricultural leases approved by the Attorney General.

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#### MISCELLANEOUS

BREVARD COUNTY - The District Engineer, on behalf of the United States of America, requested dedication of land, beach and other sovereignty and water areas of the Trustees and the State of Florida (Murphy Act) within the perimeter of the area defined for control and use for the Manned Lunar Landing Program of the National Aeronautics and Space Administration for "so long a period of time as the same may be used or required by the United States". The area included a large part of the north portion of Merritt Island, northerly part of Banana River, all of Banana Creek, and southerly portion of Mosquito Lagoon (Indian River Lagoon) and also two areas adjacent to the Missile Test Center between high and low water lines. The proposed dedication would allow exclusive use for roads, causeways and other transportation facilities, pipe and other utility lines and installations, work and borrow areas, security areas and other uses necessary to the project. The instrument also would operate as a consent for the United States to acquire title to areas needed for permanent structures through eminent domain proceedings at appraised value which should not include consideration of value of the installations made by the U. S.

At the suggestion of Governor Bryant, the Trustees referred the dedication request to the Joint Community Impact Coordination Committee, the Staff and the Attorney General for review and recommendation.

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COLLIER COUNTY - By Resolution of the City Council, the City of Naples requested dedication for extension of Broad Avenue to the established offshore bulkhead line in Naples Bay. Broad Avenue was shown about 175 feet in width, platted to the Bay, and the extension would conform to sales made in the zone.

Upon motion duly adopted, the Trustees authorized dedication to the City of Naples for street and other municipal public purposes with provision for revocation for three consecutive years of non-use or in event of conversion to other uses.

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DUVAL COUNTY - Request was made by Hugh F. Culverhouse on behalf of Fine Music Broadcasts, Inc., for the Trustees as owners of submerged bottom lands in Big Fishweir Creek to sign a joint waiver (submitted



with signatures of 22 owners in the zone) for variance of zoning regulations to permit installation of broadcasting station in the Commander Apartment Building, which was on upland bounded by Big Fishweir Creek and St. Johns Avenue, near the St. Johns River. No submerged land or other property of the Trustees was involved and waiver from adjacent owners was required before application for zoning variance would be accepted by the City of Jacksonville.

Without objection, the Trustees authorized the Director to sign the waiver on behalf of the Trustees with citation of the date of authorization.

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GLADES COUNTY - Central and Southern Florida Flood Control District applied for conveyance of 11.75 acres for the use and benefit of the district, for a borrow pit. By Deed No. 20799 dated November 19, 1954, the Trustees conveyed to Glades County for public purposes only, subject to complete and unlimited use by the State Road Department, a parcel of reclaimed lake bottoms in Section 12, Township 42 South, Range 32 East, Glades County, containing 8.33 acres, now required by the District together with an additional area abutting said parcel. The State Road Department quitclaimed to the Trustees all of its right, title and interest in the original parcel and Glades County quitclaimed its rights to the District.

Without objection, the Trustees authorized conveyance to Central and Southern Florida Flood Control District, by description, the 11.75 acre parcel less that area formerly conveyed, said conveyance to be for the use and benefit of the District.

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HIGHLANDS AND ORANGE COUNTIES - Upon motion duly adopted, the Trustees approved issuance of permits to the following applicants to remove from lake bottoms riparian to their properties stated amounts of fill material to repair shore erosion and improve uplands, subject to compliance with permit regulations and recommendations of the Game and Fresh Water Fish Commission:

- (1) Lake Lotela in Highlands County. Application by Mrs. J. H. G. Hutchinson for 200 cubic yards for \$25.00 minimum charge.
- (2) Lake Beauclair in Orange County. Application by Thomas T. and Susanne K. Odom for 500 cubic yards for \$25.00 charge.

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MARTIN COUNTY - On April 10, 1962 a recordable instrument was authorized whereunder the restrictive clause in Deed Nos. 20204, 20205 and 20206 was modified at request of owners of an island, the riparian upland and intervening submerged land in Indian River at Sewall's Point, to allow sales of island with the upland waterfront to which the island area sold was properly riparian and to include the submerged land between such portion of the island and upland, with the further provision that the restriction should automatically terminate when such island and submerged land areas were filled and all unfilled areas were formally dedicated to the use of the public. Evans Cray advised that his client contracted to purchase the waterfront upland, submerged land and island and proposed to fill portions and plat into the submerged area so that houses might be built partly on land and partly over the water so that lot owners could keep boats under their houses on their own land. His client was willing to dedicate channels between the lots and sought amendment of the restriction whereby dedication or reconveyance to Trustees of area between lots would extinguish the restriction.

The Staff called attention to the fact that until the submerged portions of the lots were filled the waters remained public, that gates or other devices on submerged lot lines would appear infringements upon public water rights and might cause stagnation or pollution, that the unique plan might establish a precedent.

Upon motion duly adopted, the Trustees rejected the request.

ORANGE COUNTY - Roy E. Lucas requested disclaimer to clear title to a triangular strip containing 0.25 acre, more or less, along the east side of his land in the SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 10, Township 22 South, Range 29 East. The Lucas parcel was described of record as a part of Lot 6 of the J. H. Livingston Subdivision, Plat Book "A" at Page 35, had 336.8 feet frontage on railway right of way on the west, was bounded north by county park property and east by Lake Fairview on the old subdivision plat. The Livingston subdivision lot was shown platted to the waters of the lake but no traverse of the marshy margin of the lake was shown and the lake was not meandered, the entire SW $\frac{1}{4}$  of SW $\frac{1}{4}$  having been patented to the State of Florida November 13, 1856 and conveyed by the Trustees March 11, 1875. Based on the old plat the north line of the Lucas parcel was shown as 33 feet but actual survey showed 99 feet to the edge of the lake, the excess area tapering to the south line of the parcel.

Upon motion by Mr. Green duly adopted, the Trustees authorized issuance of ex parte disclaimer for handling charge of \$25.00, subject to approval of the Attorney General.

PALM BEACH COUNTY - Florida Development Commission by Resolution adopted April 23, 1962, reported that continued operation of the Belle Glade Airport by the Commission under Lease No. 1116 was impracticable and since the property in Section 29, Township 43 South, Range 37 East was owned by the Trustees and served a need in the zone, proposals were submitted by the City of Belle Glade and Florida Division of Corrections, each stating that closure of the airport would impose hardship, particularly since much use was made in connection with crop dusting. The city was willing to maintain the airport at its present location (bounded by the prison farm property) or exchange for other state land for a larger airport nearer Belle Glade, and the city also suggested grant of the land for possible disposition, using the proceeds to purchase a new airport.

The Division of Corrections, not opposing city operation of the present airport, did oppose permanent transfer of the land for reasons relating to administration of the prison and advised that if the city did not wish to operate the present airport, the Division was willing to do so, maintaining current rates and devoting receipts to maintenance, to cooperate with the city so that the airport might be an asset to the community. H. G. Cochran, Jr., Director, and Paul A. Skelton, Jr., represented the Division of Corrections. William A. Eaton was present on behalf of the Development Commission which operated the Belle Glade Airport at a loss recently.

A number of letters and wires from growers, packers, civic leaders, in addition to N. B. Willis and others in person, urged the continuance of the facility with increase in fees suggested.

Upon motion by Attorney General Ervin, seconded by Mr. Green and adopted, the Trustees postponed action for three months for further investigation as to possible city or county maintenance, and the Board requested the Development Commission to continue operation under the lease for that period of time.

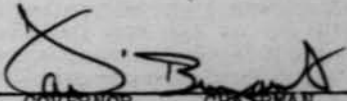
PALM BEACH COUNTY - Upon motion duly adopted, the Trustees approved City of Boynton Beach Permit No. 5247 issued May 18, 1962 to William Smith to bulkhead and fill a one-acre parcel, sale of which was confirmed on February 20, 1962 and deed issued under Trustees File No. 1071-50-253.12.

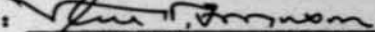
#### SUBJECTS UNDER CHAPTER 18296

JEFFERSON COUNTY - Offer of \$40.00 was made by Wilson Verritt et al, heirs of former owner on June 9, 1939, for conveyance under the Hardship Act of a parcel of land described in Part Tax Sale Certificate No. 23 of September 5, 1932 as the W $\frac{1}{2}$  of NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 22, Township 1 North, Range 3 East, 20 acres in Jefferson County.

Upon motion duly adopted, the Trustees approved conveyance of the parcel to the applicants under Chapter 28317, Acts of 1953, for the price offered.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
May 29, 1962

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

Van H. Ferguson                      Director-Secretary

Upon motion by Mr. Larson duly adopted, the Trustees approved the minutes of the meeting of May 22, 1962, which were approved by the Attorney General and copies presented to each member.

DADE COUNTY - File No. 1034-13-253.12. Presented for further consideration was application by Gerson Blatt and Alfred Lewis as Trustees, with offer of \$1000.00 per acre for 42.2 acres of Biscayne Bay tidal and submerged lands within the established bulkhead line. Action was deferred on April 24th with no further public hearing indicated. Attention was called to the Attorney General's letter to the members citing application made in 1950 by Enid Corporation as owner of the adjacent upland to purchase 62.36 acres of submerged land adjacent to the upland now owned by applicants, which submerged area included the subject 42.2 acres. The Trustees then authorized advertisement for objections but by reason of a local law prohibiting fills the application was withdrawn and in 1950 sale of 100,000 cubic yards of fill material from Biscayne Bay to be placed on the firm's upland was authorized.

Ray E. Marchman, Jr., attorney for the Hurricane Harbor Association, summed up the position of the objectors against sale and possible construction of apartment-type buildings and said that in event of sale the state should receive full price for its land.

Denzil P. Liegerot, representing the applicants, restated their claim of title to the submerged area for which they offered \$1000.00 per acre as a settlement.

Staff recommended that if sale were confirmed under the application, the appraised value should be charged and that no permit to dredge and fill should be approved without a firm commitment for inclusion of relief channel to specifications approved by the Coastal Engineering

5-29-62



Laboratory and the commitment secured by formal agreement including the fill plan and with adequate bond to guarantee compliance with the approved channel specifications.

Attorney General Ervin stated that he would be consistent with the position he previously took and the recommendation of the committee on which he served to sell the submerged area within the bulkhead line ( about which he had expressed misgivings at the time of establishment ) at the price offered, in view of the history of the history of the application and the disputed title. After study of the file and evidence submitted, he came to the opinion that the submerged area was state sovereignty land and he felt his office could successfully represent the Board in any litigation brought by the applicant as to title claim.

The members discussed the matter and Mr. Larson expressed as his firm position that if the Trustees owned the land they should get the full appraised price for it, and he recommended sustaining the staff recommendations.

Upon motion by Mr. Larson duly adopted, with the Attorney General voting No, the Trustees rejected the \$1000.00 per acre offer, denied sale and permit, and approved the staff recommendations as stated above.

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#### APPLICATIONS TO PURCHASE LAND

MONROE COUNTY - File No. 1143-44-253.12. Ruth G. Burnett, abutting upland owner represented by G. A. Crawshaw, offered the established price of \$425.00 per acre for a parcel of submerged land in the Straits of Florida in Section 15, Township 64 South, Range 36 East, 0.56 of an acre at Lower Matecumbe Key.

Upon motion duly adopted, the Trustees authorized advertisement of the parcel for objections only.

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MONROE COUNTY - File No. 1144-44-253.12. Sanel Beer and wife, abutting upland owners represented by G. A. Crawshaw, offered the established price of \$300.00 per acre for a parcel of submerged land in the Bay of Florida in Section 14, Township 62 South, Range 38 East, 0.90 of an acre at Key Largo.

Upon motion by Mr. Larson duly adopted, the Trustees authorized advertisement of the parcel for objections only.

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SARASOTA COUNTY - File No. 1136-58-253.12. Stanton Investment Company, abutting upland owner represented by Donald C. McClelland, Jr., offered \$500.00 per acre, area appraisal, for a parcel of submerged land in Little Sarasota Bay in Section 18, Township 37 South, Range 18 East, 1.252 acres.

Upon motion by Mr. Larson duly adopted, the Trustees authorized advertisement of the parcel for objections only.

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#### BULKHEAD LINE

BROWARD COUNTY - On January 23, 1962 action was postponed on a bulkhead line fixed by City Council of Oakland Park by Resolution No. 273 adopted November 1, 1961 for a portion of the North Fork of Middle River in front of Block 4 of Simpson Place in Section 26, Township 49 South, Range 42 East. Residents of Wilton Manors expressed vigorous opposition at local hearing and objections were filed with the Trustees by fourteen owners of waterfront in Coral Brook Subdivision in Oakland Park on the grounds that development to the bulkhead line would increase boating hazards and that docks and boats alongshore would constrict the usable area of the river. Oakland Park's southerly corporate limit appeared to be in the middle of the river and the northerly corporate limit of Wilton Manors appeared to be

the south shore of the river. The proposed line encompassed most of a mangrove swamp area leaving an 80-foot width for navigation - all that was required by Central and Southern Florida Flood Control District. City of Oakland Park advised that development to the line as proposed by W. O. Hundley, Sr., owner of Block 4 Simpson Place, would widen the navigable portion of the river and eliminate the swamp and petition signed by eighteen parties in favor of the line was filed. On February 22, 1962 the City of Wilton Manors advised that it was neutral on the proposed line.

The bulkhead line map was displayed and the Director discussed it, advising that some unauthorized filling was done about August 1961 apparently in the belief that private ownership extended through the mangrove to open water. The staff suggested a compromise 100-foot waterway.

The Trustees heard from Mr. Hundley and his attorney, William A. O'Bryan, and Robert R. Snead speaking in favor of the bulkhead line, and from William G. Thorenz and Mrs. C. M. Dabrohuva representing objectors. Proponents of the city's line indicated that clearance 100 feet wide would not be feasible and the Trustees, in recognition of the fact that the problem could be evaluated best by local authorities, directed that the city be asked to consider amending the bulkhead line.

Upon motion by the Attorney General seconded by Mr. Larson and adopted, the Trustees directed that the City of Oakland Park be requested to consider revision of the bulkhead line for a desired clearance of one hundred feet in front of Block 4, Simpson Place, and also that the city take into consideration the filling done or contemplated pursuant to establishment of a bulkhead line.

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#### MISCELLANEOUS

BROWARD COUNTY - Upon motion duly adopted, the Trustees authorized issuance of State Permit to Ellen K. Ogle for installation of three adjustable groins to extend into the Atlantic Ocean at applicant's property in Government Lot 2 of Section 5, Township 49 South, Range 43 East, just south of Pompano Beach, in accordance with the report and recommendation of the Coastal Engineering Laboratory, with surety bond of \$900.00 and \$100.00 processing fee.

LIBERTY COUNTY - The Florida Board of Forestry requested concurrence in execution of reconveyance of 17.44 acres in the N $\frac{1}{2}$  of NE $\frac{1}{4}$  of Section 21, Township 1 North, Range 7 West, to St. Joe Paper Company. The land was granted to the Forestry Board by Gulf Coast Properties, Inc., predecessor in title of St. Joe firm, and was used as the Bristol Tower site, no longer required since said firm had given the Forestry Board a 25-year lease with 25-year renewal privilege on a better tower site. The Governor's Committee on Recreational Development offered no objections to reconveyance.

Without objection, the Trustees approved and concurred in reconveyance of the 17.44 acres to St. Joe Paper Company.

MANATEE COUNTY - File No. 1147-41-253.129. Upon motion by Mr. Larson duly adopted, the Trustees authorized issuance, for \$10.00 charge, of a disclaimer under Section 253.129 to Charles H. Owens, represented by Dewey A. Dye, for a parcel of land filled prior to May 29, 1951 in Section 30, Township 34 South, Range 18 East, City of Bradenton, containing 0.028 of an acre.

MANATEE COUNTY - City Council of the City of Palmetto by Resolution adopted May 14, 1962 requested dedication of 8.03 acres of Manatee River sovereignty land southerly of its upland in and south of the East 263 feet of Block "L" (less portion in 10th

Avenue) and south of 10th Avenue and south of Lots 1, 2, 3 and the West 15 feet of the Lot 4 of Block "J" of Lamb's Plat (Plat Book 7, Page 20) for city public purposes with the right to lease the area for periods up to 30 years. The area included the existing city pier at the end of 10th Avenue and the plan submitted showed the area 394.76 feet wide to extend to the end of the pier. Consents of adjacent upland owners were filed with the Trustees.

Upon motion duly adopted, the Trustees approved dedication of the sovereignty area for public purposes only, under supervision and control of the City of Palmetto with right to lease for not exceeding thirty years total provided the improvements constructed under the lease should vest in and be administered by the city upon and after termination of the lease, as a municipal public facility.

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PALM BEACH COUNTY - File No. 608-50-253.124. Upon motion by Commissioner Conner duly adopted, the Trustees formally approved fill permit issued by the City of West Palm Beach to the First Baptist Church, Inc., to fill the submerged bottoms in Section 27, Township 43 South, Range 43 East, Palm Beach County, which area was conveyed to the church by the Trustees.

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PINELLAS COUNTY - File No. 743-52-253.124. Upon motion by Mr. Larson duly adopted, the Trustees formally approved fill permit No. DF124 issued by Pinellas County Water and Navigation Control Authority on December 21, 1960, to fill a parcel of submerged land conveyed to the applicant, William B. Clautice, by the Trustees.

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PINELLAS COUNTY - Redington Long Pier, Inc., applied for State Permit for a fishing pier 1021 feet long in the Gulf of Mexico at applicant's upland Lots 9 to 12 in Block "A" Unit 1, Gulf Cottage Colony, Redington Shores. Pinellas County Water and Navigation Control Authority Permit No. 2227 was issued pursuant to action in meeting of said Authority on April 26, 1962 at which no objections were submitted, the Town of Redington Shores authorized the construction April 7, 1962, and applicant requested permit from the United States Corps of Engineers (SAKSP Permits 62-266).

Objection was filed by F. P. Caldwell, Jr., co-owner of a motel about five blocks from the proposed pier, on the grounds of interference with boating, bathing and beach enjoyment. Several other owners in the zone urged approval, and Mayor John L. Sandy stated that the City Commission had investigated before approving the pier and felt that it would be an asset to the community.

Upon motion by Attorney General Ervin duly adopted, the Trustees overruled the objection and authorized issuance of permit for the public pier to the applicant for \$100.00 charge.

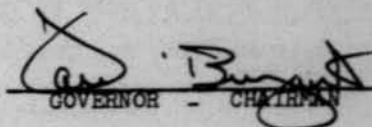
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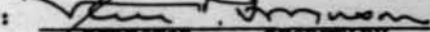
Mr. George M. Edmundson asked to be heard in support of the erosion control groins designed by William Budd, permits for the construction of which had been difficult to obtain because he said the attitude of the Coastal Engineering Laboratory was unfavorable. He brought it to the attention of the Board because it appeared to him that the public was being deprived of the protection which he felt the Budd groins afforded against beach erosion.

Upon motion by Mr. Larson duly adopted, the Trustees Engineer and others of the Staff were requested to continue to check into the matter to see if a solution could be reached.



Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
June 5, 1962

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	J. Edwin Larson	Treasurer
	Doyle Conner	Commissioner of Agriculture

Van H. Ferguson	Director-Secretary
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MONROE COUNTY - File No. 1108-44-253.12. Deferred on the advertised sale date, May 22, 1962, for consideration on this date was application by Sidarlen Development Corporation, represented by Hall, Hartwell, Peeples and Hall, to purchase two parcels of bay bottom land in Sections 3 and 4, Township 65 South, Range 35 East, comprising 56.35 acres, more or less.

Honorable Bernie C. Papy filed protest against selling any bay bottom land on Long Key until owners had developed the uplands, and he objected to filling in the sound on a conservation basis. Long Key Improvement Association, by letter from Chris Nolan and represented at the meeting by Delbert Layton, Mayor of the Town of Layton, and a number of property owners on Long Key had filed protests which cited previous sale of submerged land to applicant which was not protested with the understanding that applicant would not apply for additional land in the area referred to as Long Key Lake, owners in the area being concerned about further encroachment on the water area of the lake.

J. Lewis Hall, Jr., pointed out his client's area on maps submitted and discussed its proposal to secure the submerged land preliminary to proceeding with appropriate development, a tentative finger-fill plan being shown to the members. He withdrew from the application a seven-acre parcel about which objectors were concerned.

T. K. Hodges filed statement in opposition to sale of the parcel in the lake and withdrew his objection as to a portion of the application area.

Upon motion by Treasurer Larson duly adopted, the matter was deferred for investigation by the staff and further consideration by the full membership of the Trustees.

#### APPLICATIONS TO PURCHASE LAND

MONROE COUNTY - File No. 1148-44-253.12. Gerald J. Pendergast, abutting upland owner represented by G. A. Crawshaw, offered the

6-5-62

established price of \$425.00 per acre for a parcel of submerged land in the Bay of Florida in Section 28, Township 63 South, Range 37 East, 0.32 of an acre in Upper Matecumbe Key.

Upon motion duly adopted, the Trustees authorized advertisement for objections only.

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MONROE COUNTY - File No. 1149-44-253.12. Harry E. Mahoney and wife, abutting upland owners represented by G. A. Crawshaw, offered the established price of \$300.00 per acre for a parcel of submerged land in the Bay of Florida in Section 13, Township 62 South, Range 38 East, 0.46 of an acre at Key Largo.

Upon motion duly adopted, the Trustees authorized advertisement for objections only.

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PALM BEACH COUNTY - File No. 1150-50-253.12. John H. Witman, abutting upland owner represented by Brockway, Weber and Brockway, offered the appraised price of \$1383.75 per acre for a parcel of submerged land in Lake Worth in Section 26, Township 44 South, Range 43 East, 1.409 acres in the Town of Palm Beach within the established bulkhead line.

Upon motion by Mr. Larson duly adopted, the Trustees authorized advertisement for objections only.

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#### MISCELLANEOUS

BREVARD COUNTY - File No. 66-05-253.12. Orlando Public Utilities Commission applied for State Permit for proposed second jetty or mole to extend approximately 2000 feet into the Indian River at its plant at Delespine, the new mole to be similar to that constructed on submerged lands conveyed to the applicant in 1958, Deed No. 21885. The new mole was needed in connection with an intake channel out into the deeper, cooler part of the river to prevent intake of warmer water and to exclude grass and debris. The Coastal Engineering Laboratory study found no adverse effects indicated from the new installation.

Inasmuch as the original installation had not created any conditions adverse to the area, Staff recommended permit for processing fee of \$100.00, without requirement of surety bond.

Upon motion by Mr. Larson duly adopted, the Trustees approved issuance of permit for the new installation for \$100.00 processing fee and without bond.

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COLLIER COUNTY - File No. 251-11-253.124. Upon motion duly adopted, the Trustees formally approved fill permit issued to Edward P. Schoenthaler by the City of Naples in Collier County, to fill a parcel of submerged land in Naples Bay in Section 10, Township 50 South, Range 25 East, containing 2.0 acres, more or less, formerly conveyed by the Trustees.

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DADE COUNTY - Nine owners of land in Naranja Drainage District filed petition May 28, 1962 showing that all three Supervisors were deceased, no person had authority to direct and manage the District's affairs, that for many years no election was held by reason of lack of a majority of land owners as a quorum as required by Section 298.11 Florida Statutes, and that under the Articles of Incorporation and Section 298 of the Statutes the sole remedy would be the appointment of Supervisors by the Board of Drainage Commissioners under Section 298.69. The Attorney General had reviewed the matter and the appointment, as requested in the petition, of John W. Campbell, J. Abney Cox and George C. Sprinkle as Supervisors was recommended.

Upon motion by Mr. Larson, the matter was deferred until the next meeting.

MONROE COUNTY - File No. 1155-44-253.129. Jack W. Worth applied for disclaimer under Section 253.129 Florida Statutes, to a parcel of land filled prior to May 29, 1951, in Section 35, Township 65 South, Range 33 East, containing 1.2 acres.

Upon motion by Mr. Larson, the Trustees authorized issuance of the disclaimer for \$10.00 charge.

PALM BEACH COUNTY - File No. 1095-50-253.124. Without objection, the Trustees formally approved fill permit issued by the Town of Hypoluxo, Florida, to Frank Meade, Sr., for filling a parcel of land previously conveyed by the Trustees, in Lake Worth in Section 10, Township 45 South, Range 43 East, containing 2.37 acres.

PALM BEACH COUNTY - Brockway, Weber and Brockway on behalf of George W. English, owner of uplands in Section 21, Township 42 South, Range 43 East, Town of Lake Park, requested disclaimer to a tract of 4.485 acres of filled land in Lake Worth in said Section 21 abutting applicant's upland. The tract of sovereignty land was that area filled under Department of the Army Permit SAKSP 800.61 (57-68) issued May 28, 1957 as approved by the Trustees April 15, 1957 upon payment of \$2360.00. Staff recommended issuance of ex parte disclaimer of the area which was filled in accordance with the policy in effect in 1957 prior to passage of the Bulkhead Act on June 11, 1957.

The Director discussed the policy in effect under the Butler Act under which the riparian owner was entitled to fill out to the channel. He stated that the amount charged for the fill material, \$2360.00, was the consideration which would have been charged for sale of the land at that time, and that applicant now desired to confirm his title.

Upon motion by Mr. Larson duly adopted, the Trustees approved issuance of ex parte disclaimer for \$10.00 charge, subject to approval of the Attorney General.

POLK COUNTY - Upon motion duly adopted, the Trustees authorized issuance of permit to Wesley M. Houston to remove approximately 250 cubic yards of material from bottoms of Eagle Lake riparian to his property to repair shore erosion and improve uplands in compliance with permit regulations and recommendations of the Game and Fresh Water Fish Commission, for \$25.00 minimum charge,

LAKE AND ORANGE COUNTIES - The following applications for refunds were presented:

- (1) Harry H. Mielke requested refund of \$50.00 paid pursuant to issuance of permit approved on May 8, 1962 for removal of 1000 cubic yards of material from Lake Dora in Lake County, applicant having been advised that no sand was available.
- (2) Edwin J. Elting requested refund of \$25.00 paid pursuant to issuance of permit approved on May 8, 1962 for removal of 500 cubic yards of material from Lake Beauclair in Lake-Orange Counties, applicant having been advised that no sand was available.

Upon motion duly adopted, the Trustees authorized cancellation of the two permits and refund to the applicants of the amounts paid.

ST. JOHNS COUNTY - File No. 734-55-253.381. Arthur W. Milam on behalf of Builders Service Company requested deed covering the tract long occupied by the company east of Florida East Coast Railway, (1) south of St. Louis Avenue, west of Ponce de Leon Boulevard and north of the former Bernard Street, and (2) west of



Rivera Street, north of Hope Street and south of and adjacent to the first described parcel, all in Sections 7 and 18, Township 7 South, Range 30 East, in the City of St. Augustine. Of the total area of 2.5 acres, all except two small areas aggregating 0.16 acre and the vacated Bernard Street was claimed under chain of title originating in grants made in 1807 by the Government of Spain (Nos. 1 and 16, American State Papers, Duff-Greene Edition, Page 414, Report 11), confirmed by Act of Congress in 1830 and surveyed by the United States in 1835. No field notes of the U. S. Survey of 1835 appeared to exist and coordination by the Staff of the plat of the survey with currently used landmarks was not precise but the title was insured subject only to taxes, railroad right of way, leases which were to expire in 1960, local zoning and any portion which was actually marsh or tide-water (and the two parcels were). The U. S. Survey delineated a body of land bounded west by the "Margin of the Sebastian River", south by a ditch (apparently the moat to Fort San Marco) and east by a road (apparently San Marco Avenue on 1905 map).

It was apparent that part of the area was filled marsh which lay west of or within the U. S. Survey of 1835. The present marsh east of the river was crossed by the Railway which claimed right of way west of and adjacent to the subject land under a statutory grant of railroad rights of way across state lands. The state held U. S. Patent St. Augustine Series No. 16 dated June 23, 1882 covering the unsurveyed (marsh) portions of Sections 7, 8, 18, 19, 29 and 30 estimated in the U. S. records as 796 acres total.

By Chapter 6769, Special Acts of 1913, a 1000-year grant was made in name of State of Florida to City of St. Augustine covering all unsurveyed marsh or submerged lands in the sections named in the U. S. Patent. The city on May 23, 1960 quitclaimed to applicant all the marsh west of the applicant's property. Deed from the Trustees was sought to clear question of title arising out of the patent cited. Appraisal of \$400.00 per acre was made on the marsh applied for by applicant in 1960 prior to assertion of claim by the Railway, which area of claim was excluded from this application. The state appeared to have a valid title to the two parcels aggregating 0.16 acre which properly could be allocated for purchase by applicant under provisions of Section 253.381 Florida Statutes, being adjacent to applicant's upland and bounded west by the right of way claimed by the Railway.

The Director recommended quitclaim deed of the overall area of 2.5 acres (which would convey the irregular parcels of included marsh) for the sum of \$100.00.

Upon motion duly adopted, the Trustees approved issuance of quitclaim deed as recommended.

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SARASOTA COUNTY - Upon motion adopted without objection, the Trustees granted to West Coast Inland Navigation District additional right of way containing 2.27 acres, more or less, for the Intracoastal Waterway at Stickney Point Bridge in Little Sarasota Bay in Sections 18 and 19, Township 37 South, Range 18 East, Sarasota County.

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VOLUSIA COUNTY - Without objection, the Trustees approved dedication to the State Road Department of a parcel of submerged land in the Halifax River for drainage purposes in connection with construction of State Road A-1-A (SRD Section 79530) in Section 22, Township 15 South, Range 33 East, Volusia County, the Road Department having secured necessary right of way across the upland property.

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VOLUSIA COUNTY - Presented for approval was amendment by Ordinance No. 62-60 passed May 2, 1962 by the City Commission of Daytona Beach, which amended drawing Map No. 6 (East Shore) of

the Halifax River bulkhead line established by Ordinance No. 61-49 passed April 27, 1961 and formally approved by the Trustees on August 8, 1961. The amendment corrected discrepancy of 12.7 feet each in two footage ties of the bulkhead line to centerline of Halifax Avenue. The location of the bulkhead line with reference to the upland was not changed.

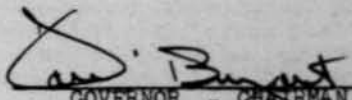
Upon motion duly adopted, the Trustees approved the amendment by City of Daytona Beach Ordinance No. 62-60 which corrected error in description of the established bulkhead line as shown on Map No. 6.


TRUSTEES OFFICE - The Elliot Building. The Trustees discussed an appropriate date and ceremony to formally dedicate the Elliot Building, and it was decided that it should take place on a Tuesday when the full membership could be present, that Messrs Fred C. Elliot and Sinclair Wells be invited, that the board meeting might be held in the new building on that date, and upon motion by Mr. Larson duly adopted, the Governor was requested to issue a proclamation declaring it Fred Elliot Day.

SUBJECTS UNDER CHAPTER 18296

Upon motion made by Mr. Larson and adopted, the Trustees approved Report No. 814 listing one sale of Murphy Act land, and authorized issuance of County of Orange Deed No. 457-Corrective to Insurance Investment Company to correct description of land conveyed in original deed dated December 10, 1940, to the same grantee.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
June 12, 1962

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present: Farris Bryant	Governor
J. Edwin Larson	Treasurer
Richard V. Ervin	Attorney General
Doyle Conner	Commissioner of Agriculture

Van H. Ferguson                      Director-Secretary

Upon motion duly adopted, the Trustees approved the minutes of the meetings on May 29 and June 5, 1962, which were approved by the Attorney General and copies presented to each member.

6-12-62

ADMINISTRATION OF DEAD SHELL LEASES - On January 2, 1962, the Trustees and the Board of Conservation met concurrently and agreed that the dead shell leases should be handled by the Board of Conservation, but details of the transfer and coordination of procedures could not be defined on that date. With assistance from office of the Attorney General a resolution was prepared and submitted to each agency to clarify the problems of procedure and more clearly define the authority transferred.

Upon motion by Treasurer Larson, seconded by Secretary of State Adams and duly adopted, the Trustees of the Internal Improvement Fund and the Board of Conservation, acting concurrently, approved the following resolution:

RESOLUTION

WHEREAS, the Trustees of the Internal Improvement Fund are vested with the title to the sovereignty tidal and submerged lands as described in Section 253.12 Florida Statutes and are charged with the administration, management, control, supervision, conservation and protection of such land and the products on, under or growing out of or connected with said lands; and

WHEREAS, said Trustees, being so vested with title to said lands described above, are vested with authority to grant leases giving lessees the right and privilege, upon terms deemed by the Trustees to be appropriate, for the taking and removal of dead shell from said lands; and

WHEREAS, under the provisions of Section 370.16(32) Florida Statutes all proceeds collected by the Trustees under dead shell leases are appropriated for biological research by the Board of Conservation and the said Trustees and said Board of Conservation having agreed that it is expedient and feasible for the Board of Conservation to be charged with the duty and responsibility to collect, receive and deposit in the State Treasury into the Marine Biological Research Trust Fund all rentals, royalties or other sums of money becoming due and payable under the provisions of all such leases, and to require that all performance bonds be made payable to the Board of Conservation; and

WHEREAS, certain leases as hereinafter described are outstanding and by the terms set forth therein provide for all payments under the same be made to said Trustees and/or are secured by surety bonds payable to said Trustees; and

WHEREAS, it is necessary that basic procedures be defined for the processing of dead shell leases,

NOW, THEREFORE, BE IT RESOLVED by the Trustees of the Internal Improvement Fund of the State of Florida and the State Board of Conservation of the State of Florida, sitting concurrently as such agencies but acting separately in their respective official capacities as such respective agencies, do hereby ratify and confirm each and every of the following described leases for taking of dead shell, viz.:

Lease No. 1344, executed on May 6, 1960 in favor of Fort Myers Shell Company.  
Expiration Date: May 6, 1963.  
Royalty: \$0.15 per cubic yard.  
Monthly Minimum: \$25.00  
Description of lease area: Three



areas in the Caloosahatchee River, in Sections 27, 28, 32 and 33, Township 45 South, Range 23 East, Lee County.

Lease No. 1504, executed on April 15, 1961 in favor of Edison Shell Company, Inc.  
Expiration Date: April 15, 1964.  
Royalty: \$0.15 per cubic yard.  
Monthly Minimum: \$20.00  
Description of lease area: A tract of submerged land lying West of Shell Point in Caloosahatchee River in unsurveyed Section 32, Township 45 South, Range 23 East, Lee County, Florida, more particularly described as follows:

From the southeast corner of Section 28, Twp. 45 South, Rge. 23 East run west perpendicular to the east line of said Section 28 for 9,700 feet; thence run south parallel with said east line for 330 feet to the point of beginning of the hereby tract or parcel. From said point of beginning deflect left 41° 30' and run southeasterly for 4,100 feet; thence run southwesterly perpendicular to the last mentioned course for 800 feet; thence run northwesterly perpendicular to the last mentioned course for 3,195.8 feet to an intersection with a line through the point of beginning parallel with said east line of Section 28; thence run north along said parallel line for 1,207.3 feet to the point of beginning; containing 67 acres, more or less.

Lease No. 1684, executed January 31, 1962 in favor of Edison Shell Company, Inc.  
Expiration Date: January 31, 1965.  
Royalty: \$0.20 per ton.  
Annual Minimum: \$1200.00  
Description of lease area: A tract of submerged land in Sections 19, 20, 29 and 30, Twp. 43 South, Range 22 East, in Charlotte Harbor, located as shown on map attached hereto and made a part hereof, containing 213.00 acres, more or less, lying and being in Lee County, State of Florida.

Lease No. 1703, approved by Board of Conservation 2-6-62 in favor of Bay Dredging and Construction Company.  
Expiration Date: February 2, 1967.  
Royalty: \$0.20 per ton.  
Annual Minimum: \$1200.00  
Description of lease area: "Tampa Bay Areas" covering Hillsborough and Pinellas Counties.

Lease No. 1718, approved by Board of Conservation February 6, 1962 in favor of Radcliff Materials, Inc.  
Expiration Date: February 5, 1967 (With option to renew for an additional five years).  
Royalty: \$0.2666 per ton.  
Annual Minimum: \$40,000.00.  
Description of lease area: All those sovereignty lands of the State of Florida lying under the Gulf of Mexico and other sovereignty waters of the State of Florida between, as the eastern boundary, the Eastern boundary of Wakulla County and the extension of said Eastern boundary due South into the Gulf of Mexico to the outer boundary of the State of Florida and, as the Western boundary, the Florida-Alabama boundary and the extension of said boundary due South into the Gulf of Mexico to the outer boundary of the State of Florida.

Lease No. 1788, approved by Board of Conservation  
January 30, 1962 in favor of Benton  
and Company, Inc.  
Expiration Date: February 28, 1972.  
Royalty: \$0.25 per ton  
Annual Minimum: \$30,000.00  
Description of lease area: "Tampa Bay  
Areas" covering Hillsborough and Pinellas  
Counties.

BE IT FURTHER RESOLVED that effective as of January 2, 1962, all moneys due and payable under the terms of said leases and all such leases hereafter executed shall be remitted directly to the Board of Conservation, and that said Board of Conservation is hereby authorized and empowered to make collection of such moneys due, including sums payable under surety bonds securing performance under such leases and to deposit all such moneys in the State Treasury into the Marine Research Trust Fund, to be expended for purposes lawfully authorized, and that the Board of Conservation is charged with the duty and responsibility for the preparation and supervision of such dead shell leases, the collection and deposit of all sums due as aforesaid; and

BE IT FURTHER RESOLVED that the procedure for processing of dead shell leases shall conform to and include the following:

1. Application shall be made in duplicate, and the two sets filed simultaneously with the Board of Conservation and Trustees of the Internal Improvement Fund, the application to include

- (a) Name and address of applicant.
- (b) Map and description defining the area proposed for dead shell lease, prepared by a Registered Land Surveyor.
- (c) Term of proposed lease.

2. Trustees' Director will report to Board of Conservation concerning the application area and any prior commitments affecting same.

3. Board of Conservation will make inspection of area and file its recommendation with Trustees' Director defining any modification of area for lease and setting forth the royalty rate, term, monthly minimum payment, amount of required bond and any special provisions which Trustees should approve. In the event the application area is modified, amended map must be filed with the recommendation.

4. Presentation to Trustees and Board of Conservation for authorization of lease.

5. Preparation of lease by Board of Conservation, execution, in duplicate, by Lessee, and transmittal to Trustees for execution.

6. Trustees office to assign Lease number and transmit fully executed lease to Board of Conservation for delivery of original to lessee, Trustees' office to retain on file photocopy of fully executed original; and

BE IT FURTHER RESOLVED that this Resolution does not in anywise abrogate the concurrent action taken by said Trustees and Board of Conservation in meeting January 2, 1962, but shall be supplemental thereto.

#### LAND SALES

PALM BEACH COUNTY - File No. 1101-50-253.12. On April 24 the Trustees considered the application of Walter Poranski,

6-12-62

abutting upland owner, with offer of the appraised value of \$2000.00 per acre for purchase of a parcel of submerged land in Lake Worth in Section 26, Township 44 South, Range 43 East, Town of Palm Beach, containing 9.63 acres, more or less, within the established bulkhead line. The land was advertised for objections only in the Palm Beach Post, proof of publication filed with the Trustees, and no protest received. Central and Southern Florida Flood Control District waived objections.

Upon motion by Mr. Larson duly adopted, the Trustees confirmed sale to the applicant at the appraised value.

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VOLUSIA COUNTY - File No. 1116-64-253.12. On April 24 the Trustees considered the application of Paleface, Inc., abutting upland owner, with offer of the appraised value of \$800.00 per acre for purchase of a parcel of submerged land in the Halifax River abutting uplands in Section 37, Township 15 South, Range 33 East, City of Daytona Beach, 0.34 of an acre, more or less, within the established bulkhead line. The parcel was advertised for objections only in the Daytona Beach News Journal, proof of publication filed with the Trustees, and no protest received.

Upon motion duly adopted, the Trustees confirmed sale to the applicant at the appraised value.

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PINELLAS COUNTY - File No. 1160-52-253.12. On May 15, 1962 the Trustees deferred action on Mrs. Ethel King's application to purchase 14.03 acres of submerged St. Joseph Sound land at Dunedin within established closed bulkhead line encompassing 25.69 acres, of which 11.66 acres consisted of two islands owned by the applicant, in Section 22, Township 28 South, Range 15 East. Telegram dated June 4 reported that the City Commission on that date rescinded its instruction to its City Attorney to appropriate the two islands by eminent domain proceeding, as cost of condemnation and development would exceed the city's ability to pay. Notices of final consideration were sent to Dunedin City Attorney, Dunedin Civic Association and Raymond A. Argyros.

Dunedin City Commission in Resolution dated June 11 confirmed said telegram and renewed an official request for spoil areas within the corporate limits of the city, subject to rights of U. S. Engineers, to be developed as public recreation areas. The city maintained its opposition to the sale and in event of conveyance to Mrs. King requested certain provisions as to access and bulkheading.

Attorney General Ervin expressed his position as approving the sale because the bulkhead line had been established and the owner was entitled within reasonable limits to improve her land using some of the submerged area in line with the Staff recommendation, and that applicant should recognize that no access rights, potential or otherwise, were involved. The Board recognized the city's interest in the islands and water area and that the owner's use of the property would always be subject to controls which might be imposed by the city.

Mr. Larson verified that the appraisal was recent and that the application area had been reduced in size considerably.

Upon motion by Mr. Ervin, seconded by Mr. Larson and adopted without objection, the Trustees confirmed sale to Mrs. King of 14.03 acres, more or less, at the appraised value of \$600.00 per acre, deed to contain special provision that conveyance did not commit the Trustees, by implication or otherwise, to provide or approve any access right of way.

Also, motion was made by Mr. Ervin and adopted that the request of the City of Dunedin for spoil areas to be developed for public recreation be given favorable consideration subject to further checking by the Staff.



OKEECHOBEE COUNTY - File No. 1154-47-253.36. Fred Judge et al, abutting upland owners represented by William L. Hendry, offered the established price of \$175.00 per acre for a parcel of reclaimed lake bottom land in Lake Okeechobee in Section 34, Township 37 South, Range 35 East, 2.65 acres, more or less.

Upon motion duly adopted, the Trustees approved sale of the reclaimed parcel to the upland owners without advertising, in accordance with the usual policy, for \$175.00 per acre.

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MISCELLANEOUS

DADE COUNTY - Deferred from last week was recommendation for appointment of George C. Sprinkle, John W. Campbell, and J. Abney Cox as Supervisors of Naranja Drainage District. Owners of land in the district filed petition May 28, 1962 showing all three Supervisors deceased, no person had authority to direct and manage the district's affairs, for many years no election was held by reason of lack of a majority of land owners as a quorum, and request was made for the appointment of Supervisors by the Board of Drainage Commissioners under Section 298.69. Joseph Nesbitt, Attorney for the District, suggested application of Florida Statutes 298.11 which provided for staggered terms of appointment.

Upon motion by Mr. Larson duly adopted, the Trustees as Board of Drainage Commissioners of the State of Florida accepted the recommendations from land owners of the Naranja Drainage District and appointed the following as Supervisors for terms beginning June 12, 1962: George C. Sprinkle for three-year term, John W. Campbell for two-year term, and J. Abney Cox for one-year term.

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LAKE COUNTY - Upon motion duly adopted, the Trustees authorized issuance of permit to Allen M. Morris of Eustis for removal of 500 cubic yards of material from the bottoms of Lake Umatilla riparian to his property to improve his uplands, subject to permit regulations and recommendations of the Game and Fresh Water Fish Commission, for \$25.00 charge.

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LEE COUNTY - On March 20, 1962, the Trustees considered request of the Board of Public Instruction of Lee County for a parcel of 44.38 acres on Sanibel Island, in and adjacent to Government Lot 3 of Section 21, Township 46 South, Range 22 East, north of State Road S-867, and the Board tentatively agreed to make up to twenty-five acres available for school purposes subject to review of the County Board's land use plan and with a commitment that the Trustees would hold the remainder of the tract for public purposes consistent with the school use.

Lee County School Board submitted survey and legal description of a 25-acre parcel, construction plans and layout for expansion of the school plant, also an area north of and adjacent to the parcel proposed for removal of material to fill the low site. The borrow area would be adjacent to lands proposed for commitment to the State Board of Parks and Historic Memorials as a wildlife sanctuary.

The Governor expressed concern over the layout, and it was suggested that the school building might be set back from the highway to reduce the traffic hazard, even if more land was required.

In view of plans for the immediate construction of the building for use during the 1962-1963 school year, the Trustees approved the grant to the Board of Public Instruction of Lee County subject to careful consideration being given to revision of the layout for relocation of the school facilities further from the highway.

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NASSAU COUNTY - SAKSP Permits (62-153) Upon motion by Mr. Larson duly adopted, the Trustees authorized issuance of State Permit to

Weldon Claxton for construction of commercial pier at applicant's property on the Amelia River in Section 46, Township 2 North, Range 28 East, for \$100.00 charge.

PALM BEACH COUNTY - File No. 1089-50-253.12. Upon motion duly adopted the Trustees authorized correction of the minutes of April 10 and May 22, 1962 to show the correct appraised price of \$3007.50 for the parcel (instead of \$3007.50 per acre) for 1.561 acres of submerged land in Section 28, Township 42 South, Range 43 East, City of Riviera Beach, which was advertised and sold to Anton Micksch and wife, the abutting upland owners.

TRUSTEES FUNDS - Attention was called to an invoice dated June 1, 1962, of Ebaugh and Goethe, Inc., consulting engineers, directed to the Board of Commissioners of State Institutions, referred by the Architect-Engineer of that board to the Trustees with recommendation for payment. The invoice was for "Plans, specifications and consultation, Executive Mansion Fallout Shelter, Tallahassee, \$300.00." The Director advised that no funds were budgeted or authorization found for payment, nor estimate of the total cost, and that bills for other small items were being received.

Upon motion duly adopted, the Trustees authorized payment up to \$500.00 for items in connection with construction of the executive mansion fallout shelter including the invoice presented on this date.

SUBJECTS UNDER CHAPTER 18296

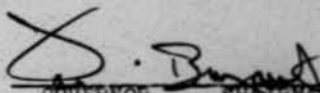
Upon motion by Mr. Larson duly adopted, the Trustees approved Report No. 815 listing one bid for sale of Murphy Act land, and authorized execution of deed pertaining thereto.

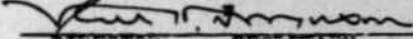
HILLSBOROUGH COUNTY - The County of Hillsborough offered \$60.00 for conveyance under Chapter 21684, Acts of 1943, without advertisement and public sale, of Lots 24 and 25, Block "A", Elizabeth Court Subdivision as per Plat Book 17, Page 23, Public Records of Hillsborough County, Florida, embraced in tax sale certificate Nos. 4941 of 1927 and 13026 of 1933 (as to Lot 24) and Nos. 7098 of 1932 and 13027 of 1933 (as to Lot 25).

Without objection, the Trustees approved conveyance of the lots to Hillsborough County under provisions of Chapter 21684 for the amount offered.

JACKSON COUNTY - Upon motion by Mr. Larson duly adopted, the Trustees granted easement to the State Road Department for State Road 75 (SRD Sec. 53030-2502) across Lots 7, 8, 9 and 10 of Block 44 Lake Subdivision, being lands certified to the state under tax sale certificate Nos. 666 of 1929 and 2662 of 1933.

Upon motion duly adopted the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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6-12-62

Tallahassee, Florida  
June 19, 1962

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Farris Bryant	Governor
	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture

Van H. Ferguson

Director-Secretary

Upon motion duly adopted, the Trustees approved the minutes of the meeting on June 12, 1962.

#### LAND SALES

ORANGE COUNTY - File No. 1079-48-253.36. Jean G. Pittman, abutting upland owner represented by Bishop and Bornstein, offered the established price of \$500.00 per acre for a parcel of reclaimed lake bottom land in Lake Conway in Sections 30, 31 and 32, Township 23 South, Range 30 East, containing 0.4162 of an acre, more or less. Lake Conway Water and Navigation Control District approved the application. The Staff recommended sale without advertisement in accordance with Trustees' policy for sale of reclaimed Lake Conway land.

Upon motion duly adopted, the Trustees approved sale to the applicant at the price offered.

PINELLAS COUNTY - File No. 1159-52-253.12. Florida Presbyterian College, the abutting upland owner, applied to purchase a parcel of submerged land in Section 10, Township 32 South, Range 16 East, containing 18.0 acres, more or less, within the established bulkhead line. Pinellas County Water and Navigation Control Authority advertised the application, held public hearing and recommended the sale.

Upon motion by Mr. Larson, seconded and adopted, the Trustees approved sale of the advertised parcel to Florida Presbyterian College, with \$10.00 consideration for the deed.

#### APPLICATIONS TO PURCHASE LAND

MANATEE COUNTY - File No. 1162-41-253.12. James M. Wallace, Jr., abutting upland owner, offered \$400.00 per acre, area appraised value, for 8.837 acres of submerged land in Perico Bayou in Sections 22, 26 and 27, Township 34 South, Range 16 East, within the established bulkhead line.

Upon motion duly adopted, the Trustees authorized advertisement for objections only.

PALM BEACH COUNTY - File No. 1157-50-253.12. A. W. Steffey and wife, abutting upland owners represented by Gee and Jenson, offered \$1925.00 per acre, area appraised value, for a parcel of submerged land in Lake Worth in Section 3, Township 45 South, Range 43 East, 0.19 of an acre in the Town of Lantana within the established bulkhead line.

Upon motion duly adopted, the Trustees authorized advertisement for objections only.



## BULKHEAD LINES

COLLIER COUNTY - Referred to the Trustees for formal approval were three units of a bulkhead line fixed by Resolution adopted on May 15, 1962 by the Board of County Commissioners of Collier County on application of E. F. P. Brigham for the shore of the major portion of Horr's Island in Township 52 South, Range 26 East. Approval was recommended as to all except the tangents which were projected across the island, the line having been laid out as a closed traverse crossing the west, north and east arms of the island with legal description of the closed traverse. Barron Collier, Jr., et al, the only other private owners in the vicinity, joined in request for approval of the line.

Upon motion by Mr. Larson, seconded and adopted, the Trustees formally approved the three recommended portions of the bulkhead line established by Collier County on May 15, 1962 in accordance with provisions of Section 253.122 Florida Statutes.

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SANTA ROSA COUNTY - On February 6, 1962 the Trustees approved a bulkhead line established in accordance with provisions of Section 253.122 Florida Statutes by the Board of County Commissioners of Santa Rosa County by Resolution adopted November 14, 1961. A further check of the bulkhead line located in Escambia Bay in the vicinity of upland property in Section 17, Township 1 South, Range 28 West, disclosed an error in the description which was corrected by the Board of County Commissioners in meeting on April 10, 1962. The Director recommended approval of the corrected description and reconfirmation of establishment of the bulkhead line.

Upon motion duly adopted, the Trustees reconfirmed approval of the bulkhead line with corrected description.

## MISCELLANEOUS

LEVY COUNTY - The District Engineer, U. S. Corps of Engineers, Jacksonville, made application for an additional spoil area on a parcel of submerged land (Tract 102-8) located in the open waters of the Gulf of Mexico in Township 15 South, Range 12 East, Levy County, for the future construction and maintenance of the access to the Suwannee River channel.

Governor Bryant raised the question of effect of such spoil easements on the state's title and asked the Director to explore the possibility of using such areas for parks and recreation. The members felt that spoil islands might have great value and be an important potential resource for public purposes, and the Attorney General suggested that an investigation might disclose some areas not required for continual deposit of spoil.

Upon motion duly adopted, the Trustees granted to the U. S. Corps of Engineers a perpetual spoil disposal easement over the parcel of land in Levy County applied for, and directed that an investigation be made of possible use of spoil areas for recreation or other purposes.

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OKALOOSA COUNTY - James N. Cox appeared before the Trustees in connection with the order authorized by the Trustees on May 15 for removal of a pier constructed without state permit under direction of J. R. Oden who held lease from the Fort Walton Yacht Club. Mr. Cox stated that he intended to make application for permit and would proceed to tear down the pier if necessary, but asked for consideration in allowing salvage or use of part of the structure if permit were granted.

Mr. Larson pointed out that since there had been no evidence of cooperation with Trustees' requirements or withdrawal of the objection, Elbert R. Davis who had filed protest should be given opportunity to be heard before final action.

Upon motion by Mr. Larson duly adopted, the Trustees postponed action and suspended the removal order for one week for notice to be given to

the objector and other interested parties.

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PALM BEACH COUNTY - Brockway, Weber and Brockway on behalf of Royal American Industries, Inc., owner of uplands in Section 21, Township 42 South, Range 43 East, Town of Lake Park, applied for disclaimer to a tract of filled land containing 6.38 acres in Lake Worth in said Section 21 abutting applicant's upland. The tract of sovereignty land was filled under Department of the Army permit SAKSP 800.61(57-69) as approved by the Trustees April 9, 1957 upon payment of \$2690.00 for the fill material. By Memorandum dated June 7, 1962 the Attorney General approved issuance of a disclaimer in such cases, in accordance with the policy in effect in 1957 prior to passage of the Bulkhead Act on June 11, 1957.

Upon motion duly adopted, the Trustees authorized issuance of ex parte disclaimer of the filled area for \$10.00 handling charge.

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PALM BEACH COUNTY - Miramar Park, Inc., the owners of uplands in Section 28, Township 42 South, Range 43 East, applied for disclaimer to a tract of 5.31 acres of filled land in Lake Worth in said Section 28 abutting applicant's upland. The tract of sovereignty land was filled under Department of the Army permit SAKSP 800.61(56-375) as approved upon payment of \$2060.00 for the fill material. The Staff recommended ex parte disclaimer of the area which was filled in accordance with the policy in effect in 1957 prior to passage of the Bulkhead Act on June 11, 1957.

Upon motion duly adopted, the Trustees authorized issuance of ex parte disclaimer of the filled area as recommended.

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TRUSTEES AS STATE EROSION AGENCY - The current contract with the Florida Engineering and Industrial Experiment Station for advisory and special services to the Trustees by the Coastal Engineering Laboratory expired June 30, 1962 and the proposed new contract for the fiscal year 1962-1963 provided for (a) \$10,000.00 for special task assignments and engineering services mutually agreed upon, and (b) \$5000.00 for surveys and analyses for cooperative coastal structures efficiency study. The proposed Trustees' budget for the fiscal year included only the item for \$10,000 since the possible need for state funds for the three-year cooperative study with the U. S. Beach Erosion Board, Cities of Treasure Island, Jupiter Island and Deerfield Beach was not known when the Legislative Budget for 1961-1963 was prepared nor when the new proposed operating budget for the fiscal year was submitted to the Budget Commission.

With state contribution of \$5000.00, the Laboratory could carry on the study for the first year, the municipalities having expressed willingness to furnish most of the land surveys required and directed by the Laboratory which would handle the hydrographic phase of the study, to include a number of locations in addition to the named cities, the study would be advanced a year and the Corps of Engineers would bear a proportionately higher share of the cost for the remaining two years. The estimated total cost per year was \$14,000 to \$16,000, the maximum 50% share of the state for the three-year study being \$8000 per year, acceptable by the U. S. in work by the Laboratory. The Laboratory urged that Trustees join in application to the U. S. Army Corps of Engineers for the three-year study to include repetitive surveys of selected shore segments on the effectiveness of various types of shore protection structures on both coasts.

Authorization of the contract for services in the amount of \$10,000 in accordance with the budget was recommended by the Staff, with favorable consideration of the request for \$5000 in order that the proposed three-year study may begin in 1962.

Motion was made by Mr. Larson and adopted that the Trustees enter into contract with the Florida Engineering and Industrial Experiment Station for the fiscal year 1962-1963 in the amount

of \$10,000.00; also the Board approved participation in the three-year cooperative coastal structures efficiency study and authorized contribution of \$5000.00 for the work.

Upon motion duly adopted, the Trustees adjourned.

  
GOVERNOR - CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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Tallahassee, Florida  
June 26, 1962

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office in the Capitol.

Present:	Ray E. Green	Comptroller
	J. Edwin Larson	Treasurer
	Richard W. Ervin	Attorney General
	Doyle Conner	Commissioner of Agriculture
	Van H. Ferguson	Director-Secretary

Upon motion by Comptroller Green duly adopted, the Trustees approved the minutes of the meeting held on June 19, 1962.

#### LAND SALES

DADE COUNTY - File No. 1111-13-253.12. On May 8 the Trustees considered offer of the appraised price of \$1960.00 per acre from Lester A. Neumann and wife, abutting upland owners, for purchase of two parcels of submerged land in Biscayne Bay in Section 8, Township 53 South, Range 42 East, within established bulkhead line in the City of Miami, one parcel lying easterly of and abutting Lot 1 of Ademar Park, Plat Book 7, Page 57, 2.35 acres, and the second parcel lying easterly of and abutting Lot 33 of said Ademar Park, 2.46 acres. The land, comprising 4.81 acres, more or less, was advertised for objections only in the Miami Herald, proof of publication filed with the Trustees, and no objections received. Central and Southern Florida Flood Control District waived objection to the sale.

Upon motion duly adopted, the Trustees confirmed sale of the advertised land to Mr. and Mrs. Neumann at the appraised price.

DADE COUNTY - File No. 1122-13-253.12. On May 8 the Trustees considered application by Helen L. Peppard Trust, abutting upland owners, for purchase of a parcel of submerged land in Biscayne Bay in Section 28, Township 54 South, Range 41 East, within the established bulkhead line in the City of Miami, 0.17 of an acre, more or less, in an area appraised at \$3888.00 per acre. The land was advertised for objections only in the Miami Herald, proof of publication filed with the Trustees, and no objections received. Central and Southern Florida Flood Control District waived objections.

6-26-62



Upon motion duly adopted, the Trustees confirmed sale of the parcel to the applicant on the basis of the area appraised price.

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MONROE COUNTY - File No. 1127-44-253.12. On May 8 the Trustees considered offer of the established price of \$300.00 per acre from Add E. Deville, abutting upland owner, for purchase of a parcel of submerged land in Florida Bay in Section 13, Township 62 South, Range 38 East, 0.92 of an acre, more or less, at Key Largo. The land was advertised for objections only in the Coral Tribune, proof of publication filed with the Trustees, and no protest received.

Upon motion duly adopted, the Trustees confirmed sale of the parcel to the applicant at the price offered.

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MONROE COUNTY - File No. 1129-44-253.12. On May 15 the Trustees considered offer of the established price of \$425.00 per acre from Howard J. Jackson and wife, abutting upland owners, for purchase of a parcel of submerged land in the Straits of Florida in Section 23, Township 63 South, Range 37 East, 0.36 of an acre, more or less, at Windley Key. The land was advertised for objections only in the Key West Citizen, proof of publication filed with the Trustees, and no protest filed.

Upon motion duly adopted, the Trustees confirmed sale of the parcel to the applicant at the price offered.

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MONROE COUNTY - File No. 1130-44-253.12. On May 15 the Trustees considered offer of the established price of \$300.00 per acre from Maxwell L. Coleman, Trustee, abutting upland owner, for purchase of a parcel of submerged land in the Straits of Florida in Section 18, Township 63 South, Range 38 East, 4.55 acres, more or less, at Plantation Key. The land was advertised for objections only in the Key West Citizen, proof of publication filed with the Trustees, and no objections were filed.

Upon motion by Commissioner Conner duly adopted, the Trustees confirmed sale of the advertised parcel to applicant at the price offered.

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MONROE COUNTY - File No. 1108-44-253.12. On June 5 the Trustees heard objectors and deferred for further investigation the application by Sidarlen Development Corporation, abutting upland owner, to purchase two parcels of bay bottom land in Long Key Bight in Sections 3 and 4 of Township 65 South, Range 35 East, on Long Key. Subsequently agreement was reached between the applicant and objectors whereunder the lake area in Section 4 was reduced to conform to the mangrove line. There remained objection filed by Honorable Bernie C. Papy against selling bay bottom lands before owners had developed their upland. In view of withdrawal of certain of the objections and reduction of the application area to 50.05 acres, more or less, the Staff recommended that the field investigation be waived, the remaining protest overruled, and sale confirmed at the unit rate of \$250.00 per acre.

Upon motion by Mr. Larson duly adopted, the Trustees overruled objections and confirmed sale at the price offered, subject to concurrence by Governor Bryant.

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PALM BEACH COUNTY - File No. 1075-50-253.12. On May 8 the Trustees considered offer of the appraised price of \$2122.50 for the parcel, from Winifred C. Anthony, abutting upland owner, for purchase 0.446 of an acre, more or less, of submerged land in Lake Worth in Section 22, Township 43 South, Range 43 East, within the established bulkhead line of the Town of Palm Beach. The parcel was advertised for objections only in the Palm Beach Post, and proof of publication was filed with the Trustees. Cen-

tral and Southern Florida Flood Control District waived objection.

An objection was filed by Walter S. Leeds, owner of a lot south of applicant's upland property, on the ground that filling would create stagnant water, however the Staff felt that the extension (average distance 115.15 feet) would not in itself create any adverse condition since that unit of bulkhead line (fixed in 1926) was a straight course over 2100 feet long and was a projection of the existing shore line from the zone next south.

Upon motion by Mr. Green duly adopted, the objection was overruled and sale confirmed to the applicant at the appraised price for the parcel.

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PALM BEACH COUNTY - File No. 1109-50-253.12. On May 8 the Trustees considered offer of the appraised price of \$1385.75 per acre from May W. Bubnitz, abutting upland owner, for purchase of a parcel of submerged land in Lake Worth in Section 26, Township 44 South, Range 43 East, 1.355 acres, more or less, within the Town of Palm Beach established bulkhead line. The land was advertised for objections only in the Palm Beach Post, proof of publication filed with the Trustees, and no protest filed. Central and Southern Florida Flood Control District waived objection.

Upon motion duly adopted, the Trustees confirmed the sale to the applicant at the appraised price.

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PALM BEACH COUNTY - File No. 1110-50-253.12. On May 15 the Trustees considered application by Samuel Smiley, abutting upland owner, to purchase a parcel of submerged land in Section 23, Township 44 South, Range 43 East, containing 1.147 acres, more or less, within the established bulkhead line in the Town of Palm Beach. The land was advertised for objections only in the Palm Beach Post, proof of publication filed with the Trustees, and no protest received. Central and Southern Florida Flood Control District waived objection. The applicant offered the appraised price, for the parcel \$5550.00, which was erroneously listed in the minutes of the meeting on May 15 as \$1550 per acre.

Upon motion by Mr. Larson duly adopted, the Trustees confirmed sale of the advertised parcel to the applicant at the full appraised price, \$5550.00 for the 1.147 acre parcel, and authorized correction of the minutes of May 15 to show that price.

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PALM BEACH COUNTY - File No. 1123-50-253.12. On May 8 the Trustees approved request of the City of Boynton Beach for dedication of a parcel for municipal park purposes, subject to advertisement for objections only. The parcel of submerged land in Lake Worth in Section 15, Township 45 South, Range 43 East, containing one acre, more or less, was advertised in the Palm Beach Post, proof of publication filed with the Trustees, and no protest filed. Central and Southern Florida Flood Control District waived objection.

Upon motion by Mr. Larson duly adopted, the Trustees authorized dedication of the advertised parcel to the City of Boynton Beach for municipal purposes, with three years non-use reversion clause in the instrument.

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PALM BEACH COUNTY - File No. 1131-50-253.12. On May 15 the Trustees considered offer of \$1383.75 per acre, area appraisal, from Kenneth Arnold, the abutting upland owner, for purchase of a parcel of submerged land in Section 26, Township 44 South, Range 43 East, containing 1.386 acres, more or less, within the established bulkhead line in the Town of Palm Beach. The land was advertised for objections only in the Palm Beach Post, proof of publication filed with the Trustees, and no protest received. Central and Southern Florida Flood Control District waived objection to the sale.

6-26-62

Upon motion by Mr. Larson duly adopted, the Trustees confirmed sale of the advertised parcel to Mr. Arnold at the price offered.

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#### APPLICATIONS FOR LAND

CHARLOTTE COUNTY - File Nos. 250 and 1102-08-253.12(1)  
Two applications were presented with Staff recommendation for sale under provisions of Section 253.12(1) Florida Statutes. The parcels applied for were original mangrove areas attached to upland filled prior to June 11, 1957 and subsequent to June 29, 1951, as extension of upland (now dedicated as road, record title being in applicant) except a portion cut away for private navigation. The price offered was the prevailing price under which sales were made in the zone in 1956.

(a) File No. 250-08-253.12(1). Lemon Bay Estates, Inc., offered \$100.00 per acre for a portion of a mangrove area containing 12.62 acres in Section 1, Township 41 South, Range 19 East.

(b) File No. 1102-08-253.12(1). George F. Dignam and August A. Urankar offered \$100.00 per acre for a portion of a mangrove area containing 14.19 acres in Section 1, Township 41 South, Range 19 East.

Upon motion by Mr. Green duly adopted, the Trustees approved sale of the parcels to the two applicants for \$100.00 per acre.

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CHARLOTTE COUNTY - File No. 1132-08-253.12. Application was made by Punta Gorda Isles, Inc., abutting upland owner represented by Earl D. Farr, Jr., to purchase 16.84 acres of submerged land in the Peace River in Section 11, Township 41 South, Range 22 East, within the established bulkhead line. The land was appraised at \$350.00 per acre.

Upon motion by Mr. Larson duly adopted, the Trustees authorized the land advertised for objections only.

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SARASOTA COUNTY - File No. 1105-58-253.12. Gulf and Bay Corporation, abutting upland owner represented by Robertson and Robertson, offered \$500.00 per acre, area appraisal, for a parcel of submerged land in Little Sarasota Bay in Section 18, Township 37 South, Range 18 East, containing 1.4 acres within an established bulkhead line.

Upon motion by Mr. Larson, seconded and adopted, the Trustees authorized the land advertised for objections only.

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#### BULKHEAD LINES

BREVARD COUNTY - Presented for approval was a bulkhead line established pursuant to provisions of Section 253.122 by the Board of County Commissioners of Brevard County by Resolution dated May 24, 1962. The bulkhead line was fixed for an area in the Banana River, easterly shore, in Section 15, Township 25 South, Range 37 East.

Upon motion by Mr. Larson, seconded and adopted, the Trustees formally approved the bulkhead line as adopted by the Board of County Commissioners of Brevard County.

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SARASOTA COUNTY - Presented for approval was a change in the previously established bulkhead line as amended by the Sarasota County Water and Navigation Control Authority by Resolution dated May 9, 1962, and also a fill permit granted in the same Resolution in favor of Field Country Club, both for an area formerly conveyed by the Trustees in Section 6, Township 37 South, Range 18 East, in Roberts Bay.



Upon motion duly adopted, the Trustees formally approved the bulkhead line as adopted by Sarasota County Water and Navigation Control Authority on May 9, 1962, and also approved the fill permit granted by the county.

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SARASOTA COUNTY - Presented for formal approval was a change in the previously established bulkhead line as adopted by the Sarasota County Water and Navigation Control Authority by Resolution dated March 29, 1962, located in Dryman Bay and South Creek in Section 15, Township 38 South, Range 18 East, Sarasota County.

Upon motion by Mr. Larson, seconded and adopted, the Trustees formally approved the bulkhead line as adopted by Sarasota County Water and Navigation Control Authority on March 29, 1962.

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#### MISCELLANEOUS

ADMINISTRATIVE RULES - Presented for formal adoption by the Trustees were compiled administrative rules prepared in accordance with request of the Secretary of State for filing in accordance with Chapter 21-280, Acts of 1961. The rules did not appear to have been filed before and administrative procedures were only partially defined as policies in the Trustees' minutes. Chapter I relating to Public Lands, Chapter II relating to Sovereignty Submerged and Tidal lands in Coastal And Intracoastal Waters, and Chapter III relating to Sovereignty Lands in Meandered Fresh Water Lakes, Rivers and Streams, were in considerable detail. Chapter IV on Murphy Act Lands was briefer, having origin in a relatively recent Act and having rules established which anticipated most of the administrative problems. All rules were subject to amendment by adoption of revised rules and filing with the Secretary of State.

Attention was called to a change in the data required in applications for State Permit to install groins and other coastal structures, the new rule requiring names and addresses of riparian owners within 1000 feet since improper design or installation might result in damage to other properties in the zone and it was advisable to issue notice to such owners. Section 253.12 Florida Statutes established, by implication, a primary zone of 1000 feet within which all riparian owners should be notified by mailed notices for objections to submerged land sales, however under the existing rule such owners had not been given notices of groins and there had been complaints.

Upon motion by Mr. Larson, seconded and adopted, the Trustees approved the adoption of the rules as presented.

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ALACHUA COUNTY - Parks M. Carmichael on behalf of Roy Cellon applied for quitclaim deed covering NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 26, Township 7 South, Range 19 East, 40 acres. Gainesville Series Patent No. 1 issued to the State June 15, 1897 and the land had not been sold by the Trustees, however records of the county showed private conveyances, mortgages, beginning in 1890, sale for taxes in 1923, issuance of tax deed in 1925, other private conveyances, sale for taxes in 1941 and tax deed issued in 1945 to a predecessor of Mr. Cellon, who obtained deed December 1, 1953. Certificate of local title company showed applicant as grantee of the last deed of record and that taxes were assessed and paid for the past twenty years.

Upon motion duly adopted, the Trustees authorized issuance of quitclaim deed to Mr. Cellon with the statutory reservation of oil and minerals for handling charge of \$25.00.

BROWARD COUNTY - Request was made for instrument to clear the question of encumbrance of title or any right or interest of Trustees in Lots 1 to 4 inclusive in Block 11, Lots 8 to 15 inclusive in Block 12, Lots 8 to 11 inclusive in Block 13, Lots 8 to 12 inclusive in Block 14, Lots 1 to 10 inclusive and Lot 13 in Block 24, Margate Estates Section 2, Plat Book 51 at Page 21, less the Easterly 5 feet of Lots 1 to 5 inclusive in Block 24 and Lots 1 to 4 inclusive in Block 11, arising out of reservations in Tax Deed No. 4235 issued March 31, 1926 under Chapter 10024, Acts of 1925 by the Trustees (apparently acting under Chapter 6456 Acts of 1913 as Board of Commissioners of Everglades Drainage District). The Central and Southern Florida Flood Control District granted release of the reservation (to construct canals, et cetera) as to said lots, being successor to Everglades Drainage District, but formal assignment of the rights of the Trustees to the District did not appear of record.

Upon motion by Mr. Larson, seconded and adopted, the Trustees authorized issuance of ex parte disclaimer for handling charge of \$10.00.

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OKALOOSA COUNTY - For further hearing on the controversy regarding an unauthorized pier constructed at a boat house of Fort Walton Beach Club leased to J. R. Oden or Malone Freight Lines, Inc., there appeared before the Trustees James N. Cox on behalf of the company applying for after-the-fact pier permit, and Elbert R. Davis, owner of adjacent land upon whose protest the Trustees on May 15 ordered removal of the pier, removal having been suspended on June 19 until this date. Notice of hearing was issued to interested parties. The application for permit included signed waivers of objection from the city, Jack Trasher and H. O. Davis (lessees of boat houses adjacent to that leased to applicant) and the Yacht Club. The Staff did not recommend grant of permit or further stay of the removal order in the absence of waiver of objection by the adjacent owner.

Mr. Davis' objections were based on use of the pier (a commercial operation in his opinion) for docking the large boat to which he attributed pollution of the water and beach, loss of view and devaluation of his residential property. He strongly protested, and asked for an investigation on the ground.

Mr. Cox stated that the applicant met the Yacht Club and city rules, denied pollution of the water, said that the pier was not commercial being used only by the crew, the applicant and his friends several months each year.

The Trustees examined photos showing other piers built prior to requirement of permit. Mr. Larson stated that in justice to the objector whose home was reported damaged, the Board should sustain the Staff's recommendation. Mr. Ervin pointed out the difficulty in taking a position of denying one dock where other docks existed; that in trying to control improper use of the waterfront the Board's action should be legally justifiable. Mr. Conner said that denial might be considered arbitrary, and he offered as a motion that Mr. Cox be given sixty days to remove the dock, in which time a permit application would be either accepted or rejected.

Upon motion by Mr. Larson, seconded by Mr. Green, that the permit be denied and order for removal of the dock be carried out, Messrs Ervin and Conner voted Nay, resulting in a tie vote and the motion did not carry.

Motion was made by Mr. Larson, seconded by Mr. Conner and adopted, that Trustees' Engineer William R. Kidd inspect the area and report to the Board.

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PALM BEACH COUNTY - File No. 1163-50-253.129. Brockway, Weber and Brockway on behalf of B. F. Paty made application for a disclaimer under Section 253.129 Florida Statutes, for an area

in Section 27, Township 43 South, Range 43 East, filled prior to the date of enactment of the Bulkhead Act, containing 1.678 acres in the City of West Palm Beach within the established bulkhead line.

Upon motion by Mr. Green duly adopted, the Trustees approved issuance of disclaimer for handling charge of \$10.00.

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PALM BEACH COUNTY - Gee and Jenson on behalf of the Town of Lantana made application for conveyance of a 0.43-acre parcel of submerged land in Lake Worth in Section 3, Township 45 South, Range 43 East, abutting an area owned by the town. Subsequently the Town Administrator advised that a dedication for public park purposes would be acceptable.

Upon motion by Mr. Green duly adopted, the Trustees approved dedication of the parcel to the Town of Lantana for public municipal purposes without charge.

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PALM BEACH COUNTY - Florida Game and Fresh Water Fish Commission requested concurrence in execution of 25-year stump lease to Hayden Newport Chemical Corporation. The lease was prepared by the office of the Attorney General and executed by the Commission.

Upon motion by Mr. Larson duly adopted, the Trustees authorized concurrence and execution of the lease.

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PINELLAS COUNTY - Upon motion duly adopted, the Trustees authorized issuance of State Permit to Harry Bockmill for installation of commercial pier at his property at Clearwater Beach, for which permit was issued by Pinellas County Water and Navigation Control Authority and \$100.00 processing fee tendered.

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SARASOTA COUNTY - Upon motion by Mr. Larson, seconded and adopted, the Trustees authorized issuance of temporary easement to expire July 31, 1963 to West Coast Inland Navigation District for drainage ditch purposes in and to a strip of sovereignty land forty feet wide in the former Sarasota Pass between Government Lots 2 and 5 of Section 32, Township 37 South, Range 18 East, needed to drain dredge discharge waters from Spoil Area S-31.

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SARASOTA COUNTY - The West Coast Inland Navigation District made application for temporary easements in favor of the United States over mangrove sovereign areas riparian to uplands over which the District held temporary easements to deposit spoil and/or the right to cross said uplands with pipe lines, et cetera.

Inasmuch as a number of such easements would be required for pumping spoil onto upland and across private upland to the Gulf of Mexico, the Staff requested authorization to process those in instances where the consent of upland owners was shown to have been obtained by the District.

Upon motion by Mr. Green duly adopted, the Trustees approved processing of temporary spoil easements in favor of the United States for such purpose, as recommended by the Staff.

---

VOLUSIA COUNTY - Florida Game and Fresh Water Fish Commission submitted Resolution of the Board of County Commissioners of Volusia County adopted June 7, 1962, citing loss of natural habitats of migratory water birds as a result of Cape Canaveral operations and requesting the United States Fish and Wildlife Service to acquire property in the St. Johns River area for a duck preserve. The Game and Fish Commission advised that the U. S. agency proposed to acquire privately owned wet lands westerly of Deland in and around Lake Woodruff and furnished map of the proposed Lake Woodruff National Wildlife Refuge, of more than 20,000 acres. The proposal was recommended by the Governor's



Committee on Recreational Development on June 19 and it was indicated that endorsement by the Trustees was needed. The Game and Fish Commission endorsed the county request as being in accordance with Florida Statutes Section 372.771 (Chapter 61-242) stating that consent of the state was given to the United States for acquisition of lands and waters or interests therein for such purposes. Attention was called to provision in the Statutes that the request should come from the United States.

Upon motion duly adopted, the Trustees endorsed the proposed establishment of a wildlife refuge, subject to compliance with provisions of the Statutes.

AUDIT REPORT - The Director cited the Report of State Audit dated May 15, 1962 for the fiscal year ending June 30, 1961 wherein it was shown that the Trustees purchased equipment from its former lessee for \$30,000 and resold the same for \$10, a subject not mentioned in an advance letter to the Director from the State Auditor listing recommendations, suggestions and adverse findings which might be included in the report and inviting explanation or rebuttal. The Report failed to indicate that the major items of equipment in questions were old pumps installed in the U. S. Levee right of way on state-owned land, padlocked by the former lessee; that operation of pumps in the levee was necessary to remove flood waters covering the 2900 acre tract in consequence of a cut in a canal dike along the perimeter to the lease area several months earlier; that the new lessees proposed to install new pumps but that prior to the settlement February 7, 1961 for \$30,000 the Trustees and their lessee were unable to obtain possession and use of their own land, litigation having been unsuccessful and the delay having already prevented use for a production season and loss of rents which could not accrue until possession could be had; that by reason of the delay it was impracticable to make the lease effective until May 1, 1961, which resulted in a loss of \$47,064 in rental on land which, under the former lease rental for such 159-day period, was only \$5,109.00.

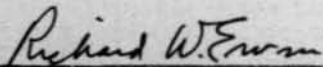
On motion of Mr. Green seconded by Mr. Conner, it was ordered that the Minutes reflect the explanation that the action of the Trustees was deemed necessary, expedient and in the best interest of the State of Florida.

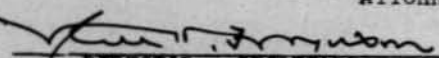
The Director also reported concerning the initiation of a system of internal controls on the handling of cash receipts and checks which was feasible after the offices of the Trustees, Land Office and Field Note Divisions became housed in the new Elliot Building during this calendar year, the system being in accordance with recommendations of the State Auditor in the recent Report and a number of his earlier Reports, also that the Minutes would reflect deviations from the Budget as recommended by the State Auditor.

SUBJECTS UNDER CHAPTER 18296

Upon motion by Mr. Larson and duly adopted, the Trustees approved Bidding Report No. 816 listing one regular bid for sale of land under the Murphy Act, and authorized execution of deed pertaining thereto.

Upon motion duly adopted, the Trustees adjourned.

  
ATTORNEY GENERAL - ACTING CHAIRMAN

ATTEST:   
DIRECTOR - SECRETARY

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6-26-62

TRUSTEES OF THE INTERNAL IMPROVEMENT FUND

STATEMENT OF RECEIPTS AND DISBURSEMENTS

JULY 1, 1960 TO JUNE 30, 1962

R E C E I P T S

Cash on Hand July 1, 1960		\$ 475,924.88
Conversion of Bonds	\$2,051,312.91	
Land Sales:		
Cash Sales	\$ 677,227.95	
Payments on Contract		
Sales	<u>1,189,173.08</u>	1,866,401.03
Payment on Taxes		1,206.85
Payments on Loans		510,281.94
Lease Rentals		730,813.48
Sale of Property		4,644.96
Interest Income		274,709.74
Miscellaneous Income		51,151.60
Warrants Cancelled and		
Restored to Funds		15,000.50
Funds Held in Escrow	<u>58,722.13</u>	5,564,245.14

TOTAL

\$6,040,170.02

D I S B U R S E M E N T S

Furniture and Fixtures	\$ 17,130.33
Acquisition of Bonds	1,022,623.98
Acquisition of Property	
in Capitol Center	296,020.73
Loans to State Agencies	876,355.22
Trustees New Office Building	205,534.50
Withdrawal of Funds in	
Escrow Account	1,300.00
Refunds	7,727.53
Operating Expenses:	
Other Personal	
Services	\$ 40,032.80
Salaries	220,999.85
Expenses	<u>121,862.09</u>
Non-Operating Expenses:	
Transfers and	
Contributions	<u>1,766,885.41</u>
Total Disbursements for the	
Period	\$4,576,472.44
Cash on Hand June 30, 1962	<u>1,463,697.58</u>

TOTAL

\$6,040,170.02

TRUSTEES OF THE INTERNAL IMPROVEMENT FUND  
STATEMENT OF RECEIPTS AND DISBURSEMENTS  
UNDER CHAPTER 18296 ACTS OF 1937  
JULY 1, 1960 TO JUNE 30, 1962

R E C E I P T S

Cash Land Sales and Miscellaneous Receipts	<u>\$313,267.09</u>
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D I S B U R S E M E N T S

All Receipts Deposited to General Revenue Fund Under Chapter 25068 Acts of 1949	<u>\$313,267.09</u>
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Naples Moose Lodge - Collier County	116,303
Pensacola Fishing Reef Assoc. - Escambia Co.	507
Playground Chamber of Commerce, Ft. Walton Beach	282
Saint Petersburg Beach, City of	476,549
South Brevard Chambers of Commerce Council	105
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Allied Marine Corp. - Dade County	56,527
Beaumaris, Inc. - Collier County	408
Bockmill, Harry - Pinellas County	561
Brady, J. E. - Pinellas County	425
Brenner, Carl - Pinellas County	78
Bright, John - Dade County	373
Campbell, Thomas - Broward County	376
Canaveral Pier, Inc. - Brevard County	408
Charles Fabrics, Inc. - Pinellas County	340
Clarwood, Inc. - Pinellas County	171
Claxton, Weldon - Nassau County	550,551
Clearview Towers Int. Constr. Co. - Pinellas Co.	398
Clearwater, City of - Pinellas County	214,528
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Dania, City of - Broward County	343
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Gibbs, Geo. F. - Sarasota County	106
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Gulf Oil Corp. - Broward County	50
Harbor Drive Corp. - Broward County	510
Head, W. A. - Escambia County	482
Henderson, S. C. - Duval County	77
Horizon House, Inc., - Pinellas County	358
Hause, H. W. - Pinellas County	78
Hubbard, W. H. - Pinellas County	443
Hurlburt, John H. - Pinellas County	144
Jolly Roger Motel - Pinellas County	340
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Lighthouse Point Yacht Basin - Broward County	217,225
Lowe, Leonard - Monroe County	11
Marina-at-Port Pierce, Inc.	95
Marina of Palm Valley, Inc. - St. Johns County	290
Mason, Mel - Okaloosa County	454
Master Marine, Inc. - Pinellas County	523
Mesco, Inc. - Duval County	127
Mexico Beach, Inc. - Bay County	340
Monterrey Motel - Dade County	126,141
Morgan, F. A. - Duval County	278
Motor Fuel Carriers - Bay County	45
Naples, City of - Collier County	170
New Smyrna Beach, City of - Volusia County	508
Oden, J. R.; Malone Freight Lines;	384,527
Fort Walton Yacht Club - Okaloosa County	553,560
Owens, W. W. - Gulf County	45
Palm Beach, Town of - Palm Beach County	340
Pinellas County, Mullet Key public pier	56,131
Playground Marina, Inc. - Okaloosa County	305
Porst, Thos.J. - Monroe County	11
Port Orange Enterprises - Volusia County	386
Prior, Walter K. - Pinellas County	78
Redington Long Pier, Inc. - Pinellas County	540
Rettberg, C. L. - Pinellas County	515
Russelo, Harold - Pinellas County	252
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Simpson, L. M. - Pinellas County	515
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Calig Land Company - Palm Beach County	345
Carver, Wm. F. - Pinellas County	40
Citizens Bank of Titusville - Brevard County	358
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Clauteice, Wm. B. - Pinellas County	203,540
Cole, Bert L. - Charlotte County	245
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Cosseboom, Lucille K. - Pinellas County	397
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Curlew Properties, Inc. - Pinellas County	12
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Dickman, L. C. - Hillsborough County	482
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Gonzmart, C.; D. M. Schwartz - Manatee County	507
Grove City Realty Co. - Charlotte County	141,195
Gulf Guaranty Land & Title Co. - Lee County	117
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Hart, Wm. H. - Martin County	398
Haselwood, Smith - Dade County	515
Haverfield, W. Tracy - Dade County	365
Harvey, C. F. - Dade County	149,179
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Howell, H. H. - Manatee County	488
Indian Rocks Fuel Oil & Marine - Pinellas County	303
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Jarvinen, T. J. - Palm Beach County	247
Kermode, K. V.; P. V. Kamberis - Manatee County	325
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McKay, Agnes C. - Dade County	429
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Meade, Frank - Palm Beach County	494,543
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Rice, R. E. - Bay County	271,296
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Stig, Carl - Pinellas County	459
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Wright, Ed C. - N. M. Peabody - Pinellas County	400
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Edmundson, G. M.	540
Cassil, E. C. - Broward County	33,500
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Curtis, Harold L. - Sarasota County	106
Daehler, K. W. - Broward County	129
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Andary, Tony - Lake Maitland, Orange County	373
Appel, Ellsworth - Polk County	422
Asenjo, Paul - Highlands County	292
Bailey, H. G. - Highlands County	365,373
Bailey, John A. - Polk County	403
Beall, W. S. - Highlands County	232
Becker, A. T. - Highlands County	105
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Brown, J. W. - Marion County	334
Bryant, F. E. - Highlands County	242
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Dey, John J. - Highlands County	304
Dick, William B. - Highlands County	259
Dilley, Raymond - Highlands County	232
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Nann, A. E. - Highlands County	353
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Boben, W. R. A., E. A. Clark - Bulkhead, sale	233,288
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Boffer, Clara C. - Lake sale, fill	197,443
Brady, J. E. - Dock permit	425
Bratton Land Co. - Sale, fill permit	197
Brenner, Carl - Dock permit	78
Brown, Laura - Deed exchange	385
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Hause, H. W. - Dock permit	78
Howard, W. T. - Land sale	136
Hubbard, W. H. - Dock permit	443
Hurlburt, John H. - Dock permit	144
Indian Rocks Beach, City of - Bulkhead line	250
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Mease Hospital, Inc. - Deed modified	410,424
Merritt, Eleanor H. - Land sale	329
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Nevels, Ollie M. - Land sale	72
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Roach, Douglas D. - Land sale	389,417
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Russelo, Harold - Marina permit	252
Rutenberg, Inc. - Dredge-fill permit	144
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Thatcher, Charles B. - Bulkhead; sale; fill	238,248
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